

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

(Sr. No. 206)

CRM-M No. 6728 of 2020

Date of decision : 27.05.2022

Alok Diwan

.....Petitioner

Versus

State of Union Territory, Chandigarh and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Sanjeev Kumar, Advocate for the petitioner.
Ms. Vasundhara Dalal Anand, AAP, U.T. Chandigarh.
Mr. Arun Sharma, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.36 dated 17.05.2017 registered under Sections 406 and 498-A IPC at Police Station Women, Sector - 17, Chandigarh on the basis of a written compromise (Annexure P-3).

On 14.02.2020, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 13.03.2020 for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 13.03.2020 from the Judicial Magistrate First Class, Chandigarh has been received, as per which the

parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them and that no proclamation proceedings are pending against the petitioner.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, which arises out of a matrimonial dispute and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by a Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052*, this Court deems it just and proper to allow the petition and resultantly quash FIR No.36 dated 17.05.2017 registered under Sections 406 and 498-A IPC at Police Station Women, Sector -17, Chandigarh and all proceedings arising therefrom qua the petitioner.

27.05.2022

sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No