

**245 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-10064-2021

Date of Decision: 06.07.2022

Sunder Lal and Another

...Petitioners

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. S.K. Singla, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG Punjab.

Mr. M.S. Yadav, Advocate
for respondent No. 3.

VIVEK PURI J.

Through the instant petition, the petitioners are seeking quashing of FIR No. 6 dated 06.01.2019 under Section 498-A of Indian Penal Code (hereinafter to be referred as 'IPC'), registered at Police Station City Ahmedgarh District Sangrur (Annexure P-1) alongwith all the subsequent proceedings arising therefrom in view of the compromise (Annexure P-2 and P-3) arrived at between the parties.

On 04.03.2021, the parties were directed to get their statements recorded before the learned Trial Court/Illaq Magistrate. In compliance of the order dated 04.03.2021, the statements of the parties have been recorded and the learned Judicial Magistrate Ist Class, Malerkotla has sent the report and the relevant portion whereof is reproduced here-in-below:-

“In view of statement of complainant Lalita Rani alias Pooja and accused Sunder Lal and Manju Devi, it is apparent that the matter has been compromised between the parties. In light of their statements compromise between the parties is

result of free volition of the parties and without any inducement, threat or pressure. As per record, there are two accused in the present case namely Sunder Lal and Manju Devi and both of them have appeared in the court and are on bail and as per statement of accused, there is no other proceeding pending against the accused persons."

Learned counsel for the petitioners contends that the petitioners No. 1 and 2 are the father-in-law and mother-in-law respectively of respondent No. 2. Respondent No. 2 is happily residing with her husband namely Parmeet Kumar i.e. son of the petitioners. The family dispute between the petitioners and respondent No. 2 has been amicably settled in terms of the compromise Annexure P-2. Learned counsel for respondent No.2 has not disputed the aforesaid factual aspects and has stated that he has no objection if the FIR is quashed.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the family dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

For the aforesaid view, this Court finds support from ***Kulwinder***

Singh and others Vs. State of Punjab and another, 2007(3) RCR

(Criminal) 1052, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

Accordingly the present petition is allowed and FIR No. 06 dated 06.01.2019 (Annexure P-1) under Section 498-A IPC registered at Police Station City Ahmedgarh District Sangrur and all the subsequent proceedings arising therefrom on the basis of compromise, are ordered to be quashed, however, qua the petitioner(s) only.

06.07.2022
Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No