

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

Sr. No.270

CRM-M-9582-2022

Date of decision: 03.08.2022

Sonu Kumar and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sonu Kumar, Advocate-petitioner No.1 in person as also
on behalf of petitioners No.2 and 3.

Mr. Saurav Khurana, DAG, Punjab.

Mr. R.P. Daaria, 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 cross case registered as General Diary No.28 dated 08.08.2020 under Sections 498-A and 406 IPC in FIR No.139 dated 08.08.2020 registered under Section 328 IPC at Police Station Dhakoli, District SAS Nagar Mohali and all subsequent proceedings arising out of it on the basis of the compromise dated 24.09.2021 (Annexure P-3).

On 08.03.2022 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 22.03.2022 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court if there is any other case pending against them and his/their status of being proclaimed offender/person.

As directed, report dated 26.05.2022 from the Judicial Magistrate, Ist Class, Dera Bassi, 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 none of the petitioners has been declared a proclaimed offender.

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 originates from 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 the Supreme Court in **Narinder Singh vs. State of Punjab, (2014) 6 SCC 466**, this Court deems it just and proper to allow the petition and resultantly quash the cross case registered as General Diary No.28 dated 08.08.2020 under Sections 498-A, 406 IPC in FIR No.139 dated 08.08.2020 registered under Section 328 IPC at Police Station Dhakoli, SAS Nagar Mohali and all proceedings arising therefrom, qua the petitioners.

August 03, 2022

Jyoti 1

(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No