

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 264

CRM-M-10672-2021

Date of decision : 16.09.2022

Sachin Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.R.S.Manhas, Advocate, the petitioner.

Ms.Himani Arora, AAG, Punjab.

Mr.Gaurav Pratap Singh Pathania, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.206 dated 01.10.2020 registered under Sections 498-A, 323 and 34 IPC at Police Station Division No.2, Pathankot, District Pathankot on the basis of a written compromise dated 09.11.2020 (Annexure P-2) entered into between the parties.

On 08.03.2021 this Court had directed the parties to appear before the Trial Court/Illaq Magistrate 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 genuineness of the compromise between the parties as also to apprise this Court whether there is any other accused other than the petitioners; whether there is any other complainant or affected/aggrieved party other than the respondents and whether any accused has been declared proclaimed offender.

As directed, report dated 05.04.2021 from the Judicial Magistrate Ist Class, Pathankot 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; respondent No.2 is the only complainant or affected/aggrieved person in this case and that accused has not been declared a proclaimed offender.

Learned State counsel has 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 from a matrimonial dispute as also 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 FIR No.206 dated 01.10.2020 registered under Sections 498-A, 323 and 34 IPC at Police Station Division No.2, Pathankot, District Pathankot and all proceedings arising therefrom qua the petitioner.

16.09.2022

shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No