

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 245

CRM-M-9940-2022

Date of decision : 21.04.2022

Sahib Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

None 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.142 dated 29.09.2015 registered under Section 498-A IPC at Police Station Ajnala, Amritsar Rural on the basis of compromise dated 11.02.2022 (Annexure P-5) entered into between the parties.

On 09.03.2022 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report with regard to the veracity of the compromise as also to apprise whether all the accused are party to the compromise and whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 18.04.2022 from the Sub Divisional Judicial Magistrate, Ajnala has been received, as per which the parties had recorded their statements before the Illaqa Magistrate/Trial Court in terms of the compromise arrived at between them; the same has been effected with the free and voluntary consent of the parties; no other criminal case is pending

against the accused persons and that none of them have been declared proclaimed offender(s).

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 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.142 dated 29.09.2015 registered under Section 498-A IPC at Police Station Ajnala, Amritsar Rural and all proceedings arising therefrom, qua the petitioners.

21.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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