

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 262

CRM-M-11231-2021

Date of decision : 20.05.2022

Ravinder Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Prashant Bansal, Advocate, for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

Mr.Sandeep Sharma, 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.70 dated 28.08.2018 registered under Sections 406 and 498-A IPC (Section 201 IPC added later on) at Women Police Station, District Patiala on the basis of a compromise dated 21.12.2020 (Annexure P-2) entered into between the parties.

On 10.03.2021 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 authenticity of the compromise and the fact that it has been arrived at without any kind of undue influence or pressure; to verify whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required.

As directed, report dated 27.04.2021 from the Judicial Magistrate Ist Class, Patiala 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; FIR was registered against the petitioners; no other person is involved in the occurrence, who is not a party to the petition and whose consent for compromise would also be required; accused have not been declared proclaimed offender(s) and that the compromise is voluntarily and with free will of the parties and without any coercion or undue influence.

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 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.70 dated 28.08.2018 registered under Sections 406 and 498-A IPC (Section 201 IPC added later on) at Women Police Station, District Patiala and all proceedings arising therefrom qua the petitioners.

20.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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