

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

(Sr. No. 271)

CRM-M No. 12110 of 2022

Date of decision : 05.09.2022

Brij Mohan and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Lupil Gupta, Advocate for the petitioners.

Ms. Himani Arora, AAG, Punjab.

Mr. Mohit Sharma, 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 FIR No.72 dated 30.07.2021 registered under Sections 406, 498-A IPC and Section 4 of the Dowry Prohibition Act, 1961, at Police Station Khuhi Khera, district Fazilka, on the basis of a written compromise (Annexure P-2).

On 23.03.2022, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 04.04.2022 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 veracity of the compromise between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 17.05.2022 from the Judicial

Magistrate First Class, Fazilka 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 that no proclamation proceedings are pending against the petitioners.

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 arises out of 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 & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466***, this Court deems it just and proper to allow the petition and resultantly quash FIR No.72 dated 30.07.2021 registered under Sections 406, 498-A IPC and Section 4 of the Dowry Prohibition Act, 1961, at Police Station Khuhi Khera, district Fazilka and all proceedings arising therefrom qua the petitioners.

05.09.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No