

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 226

CRM-M-13621-2021

Date of decision : 02.09.2022

Gautam Jindal

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Abhilaksh Gaind, Advocate, for the petitioner.

Ms.Himani Arora, AAG, Punjab.

Mr.Sanjeev K.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.0133 dated 05.12.2019 registered under Sections 406 and 498-A IPC at Women Police Station, Ludhiana on the basis of a written compromise dated 05.02.2021 (Annexure P-2) entered into between the parties.

On 24.03.2021 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 veracity of the compromise between the parties as also to apprise the names and number of the accused involved and whether any of them have ever been declared proclaimed offender(s).

As directed, report dated 22.04.2021 from the Judicial Magistrate Ist Class, Ludhiana 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; the same has been effected out of the free will of the parties, voluntarily, without any sort of pressure, coercion or fear; only the petitioner is arrayed as an accused and that he 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.0133 dated 05.12.2019 registered under Sections 406 and 498-A IPC at Women Police Station, Ludhiana and all proceedings arising therefrom qua the petitioner.

02.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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