

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 248

CRM-M-10448-2020 (O&M)

Date of decision : 09.03.2022

Sukhpreet 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.

Mr.B.S.Sidhu, Advocate, for respondent No.2/complainant.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.98 dated 04.11.2019 registered under Sections 406, 498-A, 324, 323 and 34 IPC at Police Station Ghall Khurd, District Ferozepur, on the basis of a compromise dated 21.11.2019 (Annexure P-2) entered into between the parties.

On 12.03.2020/28.04.2021 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 any proclamation proceedings are pending against any of the party.

As directed, report dated 23.06.2021 from the Judicial Magistrate Ist Class, Ferozepur 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, only the petitioners are arrayed as accused and none of them has been declared a proclaimed offender.

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 from a matrimonial dispute between the parties 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 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.98 dated 04.11.2019 registered under Sections 406, 498-A, 324, 323 and 34 IPC at Police Station Ghall Khurd, District Ferozepur and all proceedings arising therefrom qua the petitioners.

09.03.2022
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[DEEPAK SIBAL]
JUDGE

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