

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 271

CRM-M-13313-2022

Date of decision : 27.04.2022

Sarabjit Kaur Dhaliwal and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.P.S.Punia, Advocate, for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

Mr.H.S.Jalal, 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.7 dated 26.02.2019 registered under Sections 498-A, 406, 420 and 495 IPC at Police Station Women Cell, Jagraon, District Ludhiana, on the basis of a compromise dated 03.03.2022 (Annexure P-2) entered into between the parties.

On 30.03.2022 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 apart from informing the names and number of the accused involved and whether any of them has been declared proclaimed offender.

As directed, report dated 19.04.2022 from the Judicial Magistrate Ist Class, Jagraon 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 is genuine, voluntary, without any pressure, threat, coercion or undue influence; only the petitioners are arrayed as accused except Beant Singh Dhaliwal (since deceased) and that none of them has been declared 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 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.7 dated 26.02.2019 registered under Sections 498-A, 406, 420 and 495 IPC at Police Station Women Cell, Jagraon, District Ludhiana and all proceedings arising therefrom qua the petitioners.

27.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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