

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

(Sr. No. 272)

CRM-M No. 14622 of 2021

Date of decision : 14.07.2022

Vijay Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. G. S. Virk, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Harkirat Singh, Advocate for

Mr. Harmeet Singh, 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. 34 dated 11.02.2021 registered under Sections 406 and 498-A IPC at Police Station City Phagwara, district Kapurthala on the basis of a written compromise (Annexure P-2).

On 01.04.2021, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court 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 any other person is involved in the occurrence.

As directed, report dated 31.05.2021 from the Sub Divisional Judicial Magistrate, Phagwara 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 other person is involved in the present FIR.

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. 34 dated 11.02.2021 registered under Sections 406 and 498-A IPC at Police Station City Phagwara, district Kapurthala and all proceedings arising therefrom qua the petitioners.

14.07.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No