

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(226)

CRM-M-14556-2021
Date of Decision:- 02.09.2022

Sucha Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Kapil Khanna, Advocate for the petitioners.

Mr. Mohit Chaudhary, Advocate for State-respondent No.1.

Mr. Amit Thakur, Advocate for
Mr. Harpreet Singh Chawla, Advocate
for complainant-respondent No.2.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.0131 dated 29.06.2019, registered for offences under Sections 498-A, 323 and 34 of the Indian Penal Code, 1860, at Police Station Sadar Ferozepur, District Ferozepur, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise and affidavit dated 24.03.2021, Annexures P-2 and P-3, respectively, arrived at between the parties.

Counsel for the petitioners submits that petitioner No.1 is the husband of complainant-respondent No.2 and petitioners No.2 to 4 are the relatives of petitioner No.1. Counsel submits that FIR, Annexure P-1, is an outcome of a trivial matrimonial dispute, which has been settled by virtue

of compromise, Annexure P-2 and petitioner No.1 and complainant-respondent No.2 are living together with both their children.

Upon instructions received from ASI, Inderjit Singh, State counsel submits that the matter is under investigation.

Counsel representing complainant-respondent No.2 has admitted the factum of compromise and supports the prayer made in the petition.

Heard counsel for the parties.

Vide order dated 22.04.2021, this Court directed the parties to appear before the Trial Court/Area Magistrate for recording of their statements with regard to the compromise and a report was called for on the following points:-

- “1. Number of persons arrayed as accused in FIR;*
- 2. Whether accused is proclaimed offender; and*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.”*

Report has been received, wherein it has been submitted that four persons have been arrayed as accused and none of them has been declared as P.O. It has been further submitted that the compromise is genuine, voluntary and without any coercion or undue influence.

In view of the above report of the Trial Court and the judgments of Supreme Court in ***B.S.Joshi and others Versus State of Haryana and another (2003) 2 RCR (Criminal) 888*** and ***Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another (2017) 9 SCC 641***, this Court is of the opinion that prolonging the criminal proceedings would not serve any purpose.

Resultantly, the petition is allowed. FIR No.0131 dated 29.06.2019, registered for offences under Sections 498-A, 323 and 34 of the Indian Penal Code, 1860, at Police Station Sadar Ferozepur, District Ferozepur, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

02.09.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No