

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 126

CRM-M-14997-2021

Date of decision : 04.04.2022

Amit Poonia and others

..... Petitioners

VERSUS

State of U.T., Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.S.K.Rana, Advocate, for the petitioners.

 Mr.Rajiv Vij, Addl.P.P, UT, Chandigarh.

 None 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.176 dated 23.12.2019 registered under Sections 406 and 498-A IPC at Women Police Station, Sector-17, Chandigarh on the basis of compromise dated 14.10.2020 (Annexure P-2) entered into between the parties.

On 06.04.2021 this Court had directed the parties to appear before the Trial Court/Area Magistrate for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report with regard to how many total accused are facing the trial; whether any of them was declared proclaimed offender at any stage of trial; status/stage of the trial/case; to record statements of all concerned parties with regard to the genuineness and validity or otherwise of the compromise and to record the statement of the investigating officer.

As directed, report dated 23.07.2021 from the Judicial Magistrate Ist Class, Chandigarh has been received, as per which the parties had recorded their statements before the Trial Court/Area Magistrate in terms of the compromise arrived at between them; only the petitioners are arrayed as accused who have not been declared proclaimed offender at any stage of the

trial; the case is still under investigation and that the compromise is genuine and has been effected voluntarily without any pressure, coercion or undue influence from any quarter.

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 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.176 dated 23.12.2019 registered under Sections 406 and 498-A IPC at Women Police Station, Sector-17, Chandigarh and all proceedings arising therefrom, qua the petitioners.

04.04.2022
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[DEEPAK SIBAL]
JUDGE

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