

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 282

CRM-M-17579-2021

Date of decision : 08.08.2022

Sandeep Kumar

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Munish Puri, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

Ms.Deepti Rampal, 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.8 dated 08.02.2019 registered under Section 498A IPC at Police Station Sadar, Tehsil and District Pathankot on the basis of a written compromise Annexure P-2 entered into between the parties.

On 27.04.2021 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 along with the recorded statements with regard to the total number of accused facing the trial; whether any of them was declared proclaimed offender at any stage of trial; status of the trial/case and whether the compromise is genuine and valid.

As directed, report dated 08.06.2021 from the Judicial Magistrate Ist Class, Pathankot 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 petitioner has been arrayed as accused; he has not been declared a proclaimed offender; the case is at the stage of recording evidence of the prosecution and that the compromise is genuine, voluntary and without any coercion or undue influence.

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 Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.8 dated 08.02.2019 registered under Section 498A IPC at Police Station Sadar, Tehsil and District Pathankot and all proceedings arising therefrom qua the petitioner.

08.08.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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