

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 305

CRM-M-18605-2022

Date of decision : 27.09.2022

Mohd. Yaqoob and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms.Himani Arora, AAG, Punjab.

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.11 dated 18.11.2021 registered under Sections 406 and 498-A IPC at Women Police Station, Malerkotla, District Malerkotla and all proceedings arising therefrom qua the petitioners on the basis of a written compromise and affidavit both dated 28.03.2022 (Annexures P-2 and P-3) entered into between the parties.

On 04.05.2022 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 all the accused are party to the compromise and that whether any of them have ever been declared proclaimed offender(s).

As directed, report dated 16.05.2022 from the Judicial Magistrate Ist Class, Malerkotla 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 and without any coercion or undue influence; only the petitioners are arrayed as the accused and that they have not been declared proclaimed offender(s).

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.11 dated 18.11.2021 registered under Sections 406 and 498-A IPC at Women Police Station, Malerkotla, District Malerkotla and all proceedings arising therefrom qua the petitioners.

27.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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