

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 238

CRM-M-16336-2019

Date of decision : 15.03.2022

Sukhwinder Pal and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sanyam Bhardwaj, Advocate, for
 Mr.Sunil Garg, Advocate, for the petitioners.

 Mr.Saurav Khurana, DAG, Punjab.

 Mr.Kushager Goyal, Advocate, for
 Mr.Harish Goyal, 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.109 dated 30.05.2017 registered under Sections 406 and 498-A IPC at Police Station Adampur, District Jalandhar Rural on the basis of a compromise dated 25.03.2019 (Annexure P-2) entered into between the parties.

On 22.08.2019 this Court had directed the parties to appear before the Illaqa 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 veracity of the compromise between the parties as also to apprise the Court whether any of the parties has been declared proclaimed offender.

As directed, report dated 23.09.2019 from the Judicial Magistrate Ist Class, Jalandhar 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 compromise is with the free will of the parties and without any pressure or coercion from any corner; only the petitioners are the accused and that they were never declared as proclaimed offenders.

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 from a matrimonial dispute between the parties 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 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.109 dated 30.05.2017 registered under Sections 406 and 498-A IPC at Police Station Adampur, District Jalandhar Rural and all proceedings arising therefrom qua the petitioners.

15.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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