

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

311

CRM-M-20503-2022 (O&M)

Date of decision: 29.09.2022

GURPREET SINGH

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ramneek Vasudeva, Advocate
for the petitioner.

Ms. Himani Arora, AAG Punjab.

Mr. Gaurav Soni, 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.50 dated 17.05.2019 registered under Section 498-A IPC at Police Station Sadar Rupnagar, District Rupnagar and all proceedings arising therefrom qua the petitioner, on the basis of statement of respondent No.2 dated 22.02.2022 (Annexure P-2) recorded before the Family Court, Rupnagar.

On 12.05.2022, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 20.05.2022 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 number of accused arraigned in the FIR; whether P.O. proceedings are pending against any of the accused; whether the complainant/injured have appeared and made their statements in support of the compromise; stage of trial/proceedings; whether any criminal case is pending against the accused and whether the compromise so

arrived at between the parties is genuine, voluntarily and out of free will.

As directed, report dated 04.06.2022 from the Judicial Magistrate First Class, Rupnagar 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 petitioner is the only accused; the petitioner and the complainant Luxmi Devi had appeared before the Trial Court and suffered their statements with regard to compromise; the case is at the stage of prosecution evidence; the petitioner has not been declared a proclaimed offender; no other criminal case is pending against him and that the compromise between the parties is genuine, voluntary and without any coercion or undue influence.

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 out of a matrimonial dispute 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 Supreme Court in ***Narinder Singh & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466***, this Court deems it just and proper to allow the petition and resultantly quash FIR No.50 dated 17.05.2019 registered under Section 498-A IPC at Police Station Sadar Rupnagar, District Rupnagar and all proceedings arising therefrom qua the petitioner.

(DEEPAK SIBAL)
JUDGE

September 29, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>