

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

(Sr. No. 119)

CRM-M No. 19544 of 2019

Date of decision : 09.03.2022

Rajat Sethi

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Atul Goyal, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Priyanshu Kamra, Legal Aid Counsel for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.15 dated 25.11.2016 registered under Sections 406, 498-A, 120-B IPC at Police Station NRI, district SAS Nagar (Mohali) on the basis of a written compromise dated 16.05.2018 (Annexure P-2) between the parties.

On 07.12.2021, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court through video conferencing 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 P.O. proceedings are pending against any of the accused.

As directed, report dated 17.02.2022 from the Judicial Magistrate First Class, SAS Nagar 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 and that no proclamation proceedings are pending against the petitioner.

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 is arising 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 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.15 dated 25.11.2016 registered under Sections 406, 498-A, 120-B IPC at Police Station NRI, district SAS Nagar (Mohali) and all proceedings arising therefrom qua the petitioner.

09.03.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No