

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

(Sr. No. 291)

CRM-M No. 22205 of 2022

Date of decision : 12.10.2022

Jaswinder Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Mikhail Kad, Advocate for the petitioners.

Mr. Vinay K. Gupta, AAG, Punjab.

Mr. Neeraj Yadav, Advocate 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.04 dated 07.01.2019 registered under Sections 498-A and 406 IPC at Police Station Women, district Patiala and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-2).

On 23.05.2022, 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 P.O. proceedings are pending against any of the accused.

As directed, report dated 13.07.2022 from the Judicial

Magistrate First Class, Patiala 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 petitioners.

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.04 dated 07.01.2019 registered under Sections 498-A and 406 IPC at Police Station Women, district Patiala and all proceedings arising therefrom qua the petitioners.

Since in the case in hand the entire payment under the compromise is yet to be made by the petitioners to respondent No.2, it is clarified that in case such payment is not made, respondent No.2 would be at liberty to approach this Court through an appropriate application.

12.10.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No