

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

(Sr. No. 230)

CRM-M No. 43431 of 2018

Date of decision : 05.08.2022

Gursev Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Sarju Puri, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

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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. 217 dated 06.11.2015 registered under Sections 406 and 498-A IPC at Police Station City Kharar, district SAS Nagar on the basis of a written compromise (Annexure P-2).

On 22.11.2018, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 15.01.2019 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 16.02.2019 from the Judicial Magistrate First Class, Kharar 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. 217 dated 06.11.2015 registered under Sections 406 and 498-A IPC at Police Station City Kharar, district SAS Nagar and all proceedings arising therefrom qua the petitioners.

05.08.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No