

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 204

CRM-M-22675-2019

Date of decision : 05.05.2022

Davidpreet Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Chandan Nayar, Advocate, for the petitioner.

Ms.Gunkirat Kaur, AAG, 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.115 dated 13.10.2017 registered under Sections 406 and 498-A IPC at Police Station City Hoshiarpur, District Hoshiarpur on the basis of a compromise dated 06.04.2019 (Annexure P-2) entered into between the parties.

On 17.05.2019 this Court had directed the parties to appear before the Trial Court/Illaq 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 genuineness of the compromise.

As directed, report dated 11.06.2019 from the Judicial Magistrate Ist Class, Hoshiarpur 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 the same is voluntary, genuine, lawful and without any kind of pressure, undue influence, coercion and fear.

Learned State counsel has 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 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.115 dated 13.10.2017 registered under Sections 406 and 498-A IPC at Police Station City Hoshiarpur, District Hoshiarpur and all proceedings arising therefrom qua the petitioner.

05.05.2022  
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[DEEPAK SIBAL]  
JUDGE

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