

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 303

CRM-M-34261-2020

Date of decision : 27.09.2022

Harpreet Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM:    HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:    Mr.Ramandeep, Advocate, for the petitioners.

Ms.Himani Arora, AAG, Punjab.

None 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.16 dated 27.02.2019 registered under Sections 354-A, 313, 498-A, 406 and 120-B IPC at Police Station Rahon, District SBS Nagar and all proceedings arising therefrom qua the petitioners on the basis of a written compromise dated 22.07.2020 (Annexure P-2) entered into between the parties.

On 28.10.2020 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 the number of persons arrayed as accused; whether any of them is proclaimed offender; status of the trial/proceedings and whether the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 17.11.2020 from the Additional Sessions Judge, SBS 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; only the petitioners are arrayed as the accused; they have not been

declared proclaimed offender(s); the case is at the stage of prosecution's evidence and that the compromise between the parties is genuine, voluntary and without any coercion or undue influence.

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 Supreme Court in Narinder Singh vs. State of Punjab (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.16 dated 27.02.2019 registered under Sections 354-A, 313, 498-A, 406 and 120-B IPC at Police Station Rahon, District SBS Nagar and all proceedings arising therefrom qua the petitioners.

27.09.2022  
shamsher

[DEEPAK SIBAL]  
JUDGE

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