

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 249

CRM-M-23813-2020

Date of decision : 10.03.2022

Vishal Thakur

..... Petitioner

VERSUS

Union Territory Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vivek Kathuria, Advocate, for the petitioner.

Mr.Rajeev Anand, PP, UT, Chandigarh.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.18 dated 05.01.2019 registered under Section 498-A IPC at Women Police Station, Chandigarh, on the basis of a compromise/settlement entered into between the parties.

On 21.08.2020/06.10.2020 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 genuineness of the compromise between the parties as to whether the same has been effected between the parties without any undue influence or coercion.

As directed, report dated 07.12.2020 from the Judicial Magistrate Ist Class, Chandigarh, 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, the compromise is genuine, valid and without any coercion or undue influence; the complainant is the only affected/aggrieved party and that except the petitioner there is no other accused, who has not been declared a proclaimed offender.

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 from a matrimonial dispute between the parties 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 No18 dated 05.01.2019 registered under Section 498-A IPC at Women Police Station, Chandigarh and all proceedings arising therefrom qua the petitioner.

10.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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