

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 300

CRM-M-51381-2018

Date of decision : 27.09.2022

Nitesh Behal and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Mandeep Kaushik, Advocate, for the petitioners.

Ms.Himani Arora, AAG, Punjab.

Mr.Yashpal, Advocate, for
Mr.Ashok Sharma, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.126 dated 15.11.2018 registered under Sections 406 and 498-A IPC at Women Police Station, District Police Commissionerate Ludhiana and all proceedings arising therefrom qua the petitioners on the basis of a written compromise dated 11.08.2018 (Annexure P-2) entered into between the parties.

On 20.08.2019/25.02.2020 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 between the parties as also to intimate this Court whether any P.O. proceedings are pending against any of the party.

As directed, report dated 02.06.2021 from the Judicial Magistrate Ist Class, Ludhiana 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 same is voluntary and without any sort of pressure or

coercion and fear and that no P.O. proceedings are pending against any of the party.

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.126 dated 15.11.2018 registered under Sections 406 and 498-A IPC at Women Police Station, District Police Commissionerate Ludhiana and all proceedings arising therefrom qua the petitioners.

27.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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