

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 249

CRM-M-27807-2019

Date of decision : 05.05.2022

Gaurav Chawla and another

..... Petitioners

VERSUS

The State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

None 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.11 dated 25.04.2019 registered under Sections 406 and 498-A IPC at Women Police Station, District S.A.S. Nagar on the basis of a compromise dated 30.05.2019 (Annexure P-2) entered into between the parties.

On 04.07.2019 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 total number of accused facing the trial and the status/stage of the trial/case.

As directed, report dated 30.08.2019 from the Judicial Magistrate Ist Class, Mohali 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 accused; challan is yet to be presented and that the compromise is genuine.

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.11 dated 25.04.2019 registered under Sections 406 and 498-A IPC at Women Police Station, District S.A.S. Nagar and all proceedings arising therefrom qua the petitioners.

05.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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