

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 243

CRM-M-29622-2019

Date of decision : 05.04.2022

Rattan Lal and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.N.S.Gill, Advocate, for the petitioners.

 Mr.Saurav Khurana, DAG, Punjab.

 Mr.Arman Gagneja, 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.53 dated 12.06.2017 registered under Sections 406 and 498-A IPC at Women Police Station, Patiala on the basis of compromise dated 08.07.2019 (Annexure P-2) entered into between the parties.

On 05.11.2019 this Court had directed the parties to appear before the Illaqa Magistrate for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report if the compromise is outcome of voluntariness, free will and accord, and not under coercion or pressure, and if any of the parties to this petition has been declared as proclaimed offender, or if challan has been presented or not.

As directed, report dated 04.12.2019 from the Judicial Magistrate Ist Class, Patiala has been received as per which the parties had recorded their statements before the Illaqa Magistrate in terms of the compromise arrived at between them; the compromise has been effected between the parties without any pressure and with their free will and without any coercion or undue influence; no accused has been declared as proclaimed offender and that the challan has already been presented.

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 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 No.53 dated 12.06.2017 registered under Sections 406 and 498-A IPC at Women Police Station, Patiala and all proceedings arising therefrom, qua the petitioners.

05.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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