

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 273

CRM-M-43659-2021

Date of decision : 16.09.2022

Rajesh Kumar

..... Petitioner

VERSUS

U.T., Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Prashant Bansal, Advocate, the petitioner.

Mr.Amit Kumar Goyal, Addl. P.P., UT, Chandigarh.

Mr.Ashwani Kumar , Advocate, for

Mr.Ranbir Singh, 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.46 dated 30.07.2021 registered under Sections 406 and 498-A IPC at Women Police Station, Chandigarh on the basis of a written compromise Annexure P-2 entered into between the parties.

On 14.10.2021/11.07.2022 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 25.08.2022 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 same is genuine, voluntary and has been arrived between the parties without any undue influence or pressure 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.46 dated 30.07.2021 registered under Sections 406 and 498-A IPC at Women Police Station, Chandigarh and all proceedings arising therefrom qua the petitioner.

16.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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