

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 265

CRM-M-35844-2019

Date of decision : 18.04.2022

Sukhjinder Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms.Gunkirat Kaur, AAG, 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.25 dated 06.02.2018 registered under Sections 498A and 406 IPC at Police Station City Gurdaspur, District Gurdaspur on the basis of a compromise (Annexure P-2) entered into between the parties.

On 30.08.2019 this Court had directed the parties to appear before the Illaqa Magistrate/Duty 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 as also to intimate if any of the parties has been declared as proclaimed offender.

As directed, report dated 19.09.2019 from the Chief Judicial Magistrate, Gurdaspur 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 and that no accused has been declared as proclaimed offender.

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.25 dated 06.02.2018 registered under Sections 498A and 406 IPC at Police Station City Gurdaspur, District Gurdaspur and all proceedings arising therefrom qua the petitioners.

18.04.2022
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[DEEPAK SIBAL]
JUDGE

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