

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 265

CRM-M-52105-2021

Date of decision : 06.04.2022

Manmeet Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.R.S.Bajaj, Advocate, for the petitioner.

 Mr.Saurav Khurana, DAG, Punjab.

 Ms.Neha Dewan, Advocate, for respondent No.2/complainant.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.37 dated 30.07.2020 registered under Section 498A IPC at Police Station Women Cell, District Jalandhar on the basis of a compromise dated 26.08.2021 (Annexure P-2) entered into between the parties.

On 16.12.2021 this Court had directed the parties to appear before the Illaqa 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 name of the complainant and all accused arrayed in the FIR; whether all of them have appeared and made their respective statements in support of the compromise; whether any accused has been declared a proclaimed offender; the stage of trial/proceedings and if the compromise so effected between the parties is genuine, voluntary and out of free will.

As directed, report dated 24.12.2021 from the Judicial Magistrate Ist Class, Jalandhar has been received as per which the parties had recorded their statements before the Court in terms of the compromise arrived at between them; both parties had appeared before the Court and made their respective statements with regard to the compromise arrived at between them; the accused

has not been declared proclaimed offender; the trial is pending for prosecution evidence and that the compromise is genuine, voluntary and without any pressure or coercion.

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.37 dated 30.07.2020 registered under Section 498A IPC at Police Station Women Cell, District Jalandhar and all proceedings arising therefrom qua the petitioner.

06.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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