

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 251

CRM-M-44250-2019

Date of decision : 05.05.2022

Jagroop Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vinay Kumar, Advocate, for the petitioners.

Ms.Gunkirat Kaur, AAG, Punjab.

Mr.Umesh Sharma, 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.66 dated 10.09.2016 registered under Sections 498-A and 506 IPC at Police Station Ghuman, District Gurdaspur on the basis of a compromise dated 17.01.2019 (Annexure P-2) entered into between the parties.

On 27.02.2020/03.03.2022 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 of the accused has been declared a proclaimed offender; the stage of trial/proceedings; if the compromise so arrived at between the parties is genuine, voluntarily and out of free will.

As directed, report dated 20.04.2022 from the Judicial Magistrate Ist Class, Batala 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 complainant's name is Sukhwinder Kaur (respondent No.2); only the petitioners are arrayed as accused; the complainant and the accused have appeared and made their respective statement in support of the compromise; none of the accused has been declared a proclaimed offender; the case is fixed for awaiting presence of the accused and that the compromise is genuine and without any pressure, coercion and undue influence

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.66 dated 10.09.2016 registered under Sections 498-A and 506 IPC at Police Station Ghuman, District Gurdaspur and all proceedings arising therefrom qua the petitioners.

05.05.2022
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[DEEPAK SIBAL]
JUDGE

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