

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 229

CRM-M-46115-2019

Date of decision : 11.03.2022

Ajay Kumar and others

..... Petitioners

VERSUS

The State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vikram Bali, Advocate, for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

Mr.Rohit Joshi, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No125 dated 25.09.2015 registered under Section 498-A IPC at Police Station Mehtiana, District Hoshiarpur.

On 30.10.2019 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 compromise between the parties as also to apprise the Court number of persons arrayed as accused in the FIR; whether any accused is proclaimed offender; status of the trial/proceedings and whether the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 07.01.2020 from the Judicial Magistrate, Ist Class, Hoshiarpur, 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 has been executed without any fear or favour; the same has been entered between the parties of their free will and without any coercion or pressure and that none of the accused has been declared proclaimed offender .

Learned State counsel has also raised 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 No125 dated 25.09.2015 registered under Section 498-A IPC at Police Station Mehtiana, District Hoshiarpur and all proceedings arising therefrom qua the petitioners.

11.03.2022
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[DEEPAK SIBAL]
JUDGE

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