

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.255-2

CRM-M-51817-2019

Date of decision: 30.09.2022

Kuldeep Singh and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms. Himani Arora, AAG, Punjab.

None for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.126 dated 10.05.2019 registered under Sections 406, 498-A, 506 and 34 IPC at Police Station Dera Bassi, District Mohali and all subsequent proceedings arising out of it on the basis of a written compromise (Annexure P-2).

On 18.12.2019 this Court had directed the parties to appear before the Illaqa Magistrate/Duty Magistrate/Trial Court for recording of their statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court if there is any other case pending against them and his/her status of being proclaimed offender.

As directed, report dated 31.01.2020 from the Sub-Divisional, Judicial Magistrate, Dera Bassi, 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 and none of the accused has been declared a 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 originates from a matrimonial dispute 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 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 the FIR No.126 dated 10.05.2019 registered under Sections 406, 498-A, 506 and 34 IPC at Police Station Dera Bassi, District Mohali and all proceedings arising therefrom, qua the petitioners.

September 30, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No