

3. As per statement of Investigating Officer, petitioners/accused are not involved in any other FIR except the present FIR.

4. Only FIR is received in the present case so far. ”

4. Learned counsel for the petitioners contend that the marriage of petitioner No.1 was solemnized with respondent No.2 on 10.01.2019 and a son has been born from the wedlock. The matrimonial dispute has been amicably settled between the parties and Annexure P-2 is the affidavit of respondent No.2. Petitioner No.1 and respondent No.2 have resumed cohabitation. Respondent No.2 alongwith minor son is happily residing in the matrimonial house with the petitioner. No other case is pending between the parties.

5. Learned counsel appearing for respondent No.2 has not disputed the aforesaid factual aspect(s) and further stated that he has no objection if the FIR is quashed.

6. After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

7. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the matrimonial dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

8. For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, approved by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

9. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.156 dated 04.11.2021 under Sections 323/498-A/34 IPC registered at Police Station City I, Malerkotla, District Malerkotla is ordered to be quashed, however, qua the petitioners only.

10. Resultantly, with the above-said observations made, the instant petition stands allowed.

31.10.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No