

parties and submitted the report, the relevant para whereof reads as under:-

“1. In view of the statements so suffered by the parties, this Court is of the considered view that the parties have arrived at a compromise voluntarily, out of their free will and same seems to be genuine without any coercion and undue influence.

2. As per record and statement of IO, there are only three accused person namely Parjinder Singh, Daljit Kaur and Iqbal Singh in the present FIR.

3. As per statement of the Investigating Officer, none of the accused has been declared as proclaimed offender.”

5. Learned counsel for the petitioners contend that the marriage of the petitioner No. 2 was solemnized with respondent No. 2 on 01.12.2019 but no child was born from the wedlock. Although, the allegations were levelled against the petitioners and two other relatives, who have been found to be innocent but FIR has been registered only against the petitioners. The matrimonial dispute has been amicably settled between the parties in terms of the compromise (Annexure P-2). The marriage of petitioner No. 2 and respondent No.2 has been dissolved by a decree of divorce by mutual consent under Section 13-B of Hindu Marriage Act in terms of the judgment and decree dated 22.05.2023 passed by the learned Family Court, SAS Nagar (Mohali). Petitioner No. 2 has paid a sum of Rs. 9,50,000/- to respondent No. 2 on account of permanent alimony. The respondent No.2 has received all her articles of “*Istri Dhan*” and nothing is due payable to her from the petitioners. No other case is pending between the parties.

6. Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

7. After hearing the 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.

8. 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.

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

10. 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. 0095 dated 21.07.2022 under Sections 406, 498-A IPC, registered at Police Station Phase-8, District SAS Nagar and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

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

09.08.2023

manoj

(VIVEK PURI)
JUDGE

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