

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 293

CRM-M-35564-2020

Date of decision : 17.10.2022

Mahinder Pal Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vivek Goyal, Advocate, for the petitioner.

Ms.Himani Arora, AAG, Punjab.

None 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.9 dated 05.08.2016 registered under Section 498-A IPC and Sections 66-D and 67 of the Information Technology Act, 2000 at Police Station Women, District Mohali and all proceedings arising therefrom qua the petitioner on the basis of the compromise effected between the parties in the petition filed by them under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P-2).

On 09.12.2020 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 genuineness of the compromise between the parties as also to apprise this Court whether any PO proceedings are pending against any of the party.

As directed, report dated 19.02.2021 from the Judicial Magistrate Ist Class, Kharar 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 same is genuine, valid and is not the result of any pressure or coercion and that none of the party has been declared a proclaimed offender.

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 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 FIR No.9 dated 05.08.2016 registered under Section 498-A IPC and Sections 66-D and 67 of the Information Technology Act, 2000 at Police Station Women, District Mohali and all proceedings arising therefrom qua the petitioner.

17.10.2022
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[DEEPAK SIBAL]
JUDGE

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