

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

CRM M-10265 of 2015

Date of decision : 04.08.2015

Dhiraj Sehgal & ors.

....Petitioners

V/s

State of Haryana & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. N.D. Achint, Advocate for the petitioners.

Mr. Vishal Kashyap, AAG Haryana.

Mr. S.K. Beriwal, Advocate for respondent no. 2.

RAJAN GUPTA J.

Petitioner has filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 697 dated 02.10.2013 registered under sections 498A, 406 & 506 IPC at police station Civil Lines, Gurgaon and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the parties submit that during the pendency of this petition a compromise has been arrived at between the parties and dispute has been amicably settled. Relying upon the judgment reported as ***Kulwinder Singh and others vs. State of Punjab, 2007(3) RCR (Crl.) 1052***, learned counsel submit that in view of compromise, the impugned FIR deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in *Kulwinder Singh's* case supra and submits that in case

a compromise is arrived at between the parties the State would not stand in the way of quashing of FIR.

Heard.

It appears that on 14.05.2015, a direction was issued by this court to record the statements of the parties with regard to validity or otherwise of the compromise. A report has been received from the trial court. Operative part thereof reads thus:-

"Further only three persons i.e. Dheeraj Sehgal, Vipin Kumar Sehgal and Rajni Sehgal have been arrayed as accused in the FIR in question. None of the three accused persons is proclaimed offender in the case.

In view of the statements of the complainant as well as accused persons, it appears that the compromise between the parties is genuine, voluntary and without any coercion or undue influence. The report is accordingly submitted for the kind perusal of your lordship"

Compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served by continuance of the criminal proceedings. In view of above, the present FIR and the consequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in *Kulwinder Singh's* case supra.

Resultantly, present petition is allowed. The FIR in question and subsequent proceedings arising therefrom are quashed.

August 04, 2015

Ajay

(RAJAN GUPTA)
JUDGE