

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

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Crl. Misc. No. M 17212 of 2014
Date of decision: 16.01.2015

Deepak Sikka and others

..... Petitioners

Versus

State of Haryana and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Nishant Raj, Advocate
for the petitioners

Mr. Rajesh Gaur, Addl. A G Haryana
for the State of Haryana

Mr. Sushil Bhardwaj, Advocate
for respondent No. 2

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'the Code'), the petitioners have prayed for quashing of FIR No. 70 dated 29.03.2007 for offence punishable under Sections 406 and 498-A of the Indian Penal Code registered in Police Station Matlauda, District Panipat and proceedings emanating therefrom on the basis of compromise dated 14.10.2013 (Annexure P-2) arrived at between the parties.

In the present case, the matrimonial discord between

complainant/respondent No.2 and petitioner No. 1 led to filing of said FIR. Now, the dispute between the parties has been settled by way of compromise and as per the settlement, the complainant-wife has already received a sum of Rs.5,44,000.00 from the accused and nothing is due against them.

Vide order dated 10.10.2014, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Panipat, wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '**Gian Singh v. State of Punjab and another**', 2012 (4) R.C.R. (Criminal) 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No. 70 dated 29.03.2007 for offence under Sections 406, 498-A of the Indian

Penal Code registered in Police Station Matlauda, District Panipat and proceedings emanating therefrom stand quashed qua the petitioners.

(Rekha Mittal)
Judge

16.01.2015
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