

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

CRM-M-26486-2015

Date of Decision: September 29, 2015

Vishal

...Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Anil Kumar Gahlawat, Advocate
for the petitioner.

Mr.Kuldeep Tiwari, Addl.A.G., Haryana.

Mr.Tushant Deep Garg, Advocate
for respondent No.2.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition filed under Section 482, Cr.P.C.,
is for quashing of FIR No. 332, dated 27.10.2012, for the offence
punishable under Section 498-A IPC, registered at Police Station,
Beri, District Jhajjar and all the consequential proceedings
arising therefrom, on the basis of compromise (Annexure P-2).

Vide order dated 11.08.2015, the affected parties
were directed to appear before the learned trial Court for

getting their respective statements recorded with regard to the compromise. The parties, due to lack of communication, could not appear before the Court below for getting their respective statements recorded.

Today, the petitioner as well as Sushila-respondent No.2/informant are present in Court.

Mr. Tushant Deep Garg, Advocate has appeared for Sushila-respondent No.2 and filed his power of attorney, which is taken on record. Mr. Garg, Advocate submitted that respondent No.2/informant, who is present in Court, along with her minor child has come from Gurgaon, therefore, her statement might be recorded by this Court in view of the hardship of the parties. The statement on oath of Sushila-respondent No.2/informant has been recorded separately. In her statement, she has specifically deposed that during the pendency of the case before learned trial Court, she had effected a compromise with her husband-Vishal (petitioner) and as such, she has no objection if the impugned FIR and all the consequential proceedings arising therefrom, are quashed on the basis of compromise. She also deposed that she was happily residing with her husband.

Learned counsel for the State after hearing the deposition of the informant and taking instructions from Head Constable Raju, Police Station Beri, District Jhajjar, has also

confirmed the compromise and has no objection if the impugned FIR and consequential proceedings arising therefrom, are quashed on the basis of compromise.

Mr.Tushant Deep Garg, Advocate, representing respondent No.2 also submits that the proceedings pending before the learned trial Court be quashed in view of the compromise effected between the parties.

I have heard learned counsel for the parties and with their able assistance gone through the material available on record.

Since the present criminal litigation has arisen out of a matrimonial dispute and both the private factions have resolved all their disputes and as such, the pendency of the impugned FIR and consequential proceedings arising therefrom, would be sheer abuse of the process of law.

Therefore, taking into consideration the facts and circumstances of the case and the ratio of the judgment of Hon'ble the Supreme Court delivered in the matter of **B.S.Joshi and others v. State of Haryana and another, 2003 (2) R.C.R. (Criminal) 888**, present petition is accepted and FIR No. 332, dated 27.10.2012, for the offence punishable under Section 498-A IPC, registered at Police Station, Beri, District Jhajjar and all

the consequential proceedings arising therefrom, are hereby
quashed.

(NARESH KUMAR SANGHI)
JUDGE

September 29, 2015
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