

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

CRM-M-31746-2013 (O&M)

Date of Decision: December 01, 2015

Jatinder Pal Singh and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. A.S. Dhaliwal, Advocate,
for the petitioners.

Mr. Pawan Gaur, DAG, Haryana,
for respondent No. 1.

Mr. Surinder Gandhi, Advocate,
for respondent No. 2.

.....

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

NARESH KUMAR SANGHI, J.(Oral)

Prayer in this petition filed under Section 482, Cr.P.C., is for quashing of FIR No. 425, dated 01.07.2011, (Annexure P-1), for the offences punishable under Sections 406 and 498-A, IPC, registered at Police Station, City Rohtak, and all the consequential proceedings arising therefrom.

During the pendency of the present petition, the parties have resolved their dispute and effected a compromise and, as such, vide order, dated 25.08.2015, the affected parties were directed to appear before learned trial Court for getting their respective statements recorded.

In compliance of the above, respondent No. 2/informant/complainant, Sheetal wife of Jatinder Pal, as well as the petitioners, Jatinder Pal Singh son of Tara Singh and Parkash Kaur wife of Tara Chand @ Tara Singh, did appear before the Court below and got recorded their respective statements with regard to compromise.

The report in that regard has also been received from learned Chief Judicial Magistrate, Rohtak. The operative part of

the report so received is as under:

“It is most respectfully submitted that as per order dated 25.08.2015 passed by the Hon'ble High Court in CRM-M-31746-2013(O&M) titled Jitender Pal Singh & anr. v. State & anr., statements of complainant Sheetal and the accused Jitender and Parkash Kaur recorded seperately. They stated that they have amicably settled their matter. They do not wish to continue with the criminal proceedings and the same be dropped. From the statements of the parties prima facie it appears that a compromise has been arrived at between the parties voluntarily, without fear and the same appears to be genuine. Copy of the statements of the parties recorded by me are enclosed herewith.”

Learned counsel for respondent No. 2/complainant/informant, Sheetal, submits that due to intervention of the respectable and elderly people of the society,

respondent No. 2/complainant/informant, Sheetal has resolved her matrimonial dispute with her husband and her mother-in-law and, as such, she has no objection, if the impugned FIR and consequential proceedings arising therefrom are quashed on the basis of compromise.

Learned counsel for the State has also gone through the copies of the statements and the report received from the Court below and has no objection, if the impugned FIR and consequential proceedings are quashed on the basis of compromise.

After hearing learned counsel for the parties, going through the copies of the statements and report received from learned Court below, this Court is of the considered opinion that pendency of the impugned FIR which has emanated on account of the matrimonial dispute and the consequential proceedings arising therefrom would be sheer abuse of the process of law.

In the matter of **B.S. Joshi and others v. State of Haryana and another, 2003 (2) R.C.R. (Criminal) 888**, Hon'ble the Supreme Court has also ruled that the offences alleged to have been committed during subsistence of the criminal

proceedings arising out of the matrimonial dispute, despite the offences committed are non-compoundable, the High Court can quash the proceedings on the basis of compromise.

As a sequel to the above FIR No. 425, dated 01.07.2011, (Annexure P-1), for the offences punishable under Sections 406 and 498-A, IPC, registered at Police Station, City Rohtak, and all the proceedings emanating therefrom, are hereby quashed.

December 01, 2015
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(NARESH KUMAR SANGHI)
JUDGE