

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-35841 of 2014

Date of decision: June 29, 2015

Gurmej Singh

.. Petitioner

Vs.

State of Haryana and another

.. Respondents

Coram: Hon'ble Mr. Justice Surinder Gupta

Present: Ms. Lovleen Dhaliwal, Advocate for the petitioner.
Mr. Vikas Chopra, DAG, Haryana.

Surinder Gupta, J

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of the FIR No.315 dated 15.11.2011 (Annexure P-1), registered for offence punishable under Sections 406/498-A/323/506 IPC at Police Station Taraori, District Karnal, on the basis of the compromise (Annexure P-2).

It is submitted that the petitioner, who was living abroad and was declared Proclaimed Offender had put in appearance before trial court on 18.5.2015 and has been released on regular bail. It is a matrimonial dispute which led to the registration of the impugned FIR. As per compromise (Annexure P-2) the parties have amicably settled the dispute. The respondent No.2 appeared before the trial court and made statement that the matrimonial dispute has been fully and finally settled between the parties and she has no objection if the impugned FIR registered on her statement be quashed. It is submitted that petition under Section 13-B of Hindu Marriage Act has also been filed where statements of the parties have been recorded.

The parties were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 11.2.2015 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

As the matter relates to matrimonial dispute which has been amicably resolved, there is no purpose of keeping the criminal case pending. It will be in the interest of parties as well as their family to quash the impugned FIR.

In view of the above discussion, the instant petition is allowed and the impugned FIR (Annexure P-1) along with all consequential proceedings arising therefrom are quashed.

June 29, 2015
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(Surinder Gupta)
Judge