

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-480 of 2015(O&M)

Date of Decision: 12.3.2015

Birender Singh & others

--Petitioners

Versus

State of Haryana and another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Anil Ghanghas, Advocate for the petitioners.

Mr. Arun Kumar, A.A.G., Haryana.

Mr. Ajay Chhikara, Advocate for respondent no.2.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.59 dated 24.5.2012 under Sections 498-A, 406, 34 I.P.C registered at Police Station, Sector 17-18, Gurgaon, on the basis of compromise/affidavits in token thereof and placed on record at Annexures P-2 and P-3.

On 13.2.2015, this Court had directed the parties to appear before the Trial Court for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 26.2.2015 of J.M.I.C., Gurgaon and a perusal thereof would reveal that the statements of the parties were duly recorded on 26.2.2015 itself and it has been opined that the compromise has been entered into voluntarily and without any pressure or coercion.

A Full Bench of this Court in case of *Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) R.C.R (Criminal) 1052*

has taken a view that in appropriate cases this Court in exercise of its powers under Section 482 Cr.P.C can intervene and bring to an end criminal prosecution in the light of any compromise that may have been effected even in relation to non-compoundable offences.

Adverting back to the facts of the present case the dispute between the parties, which was essentially matrimonial in nature, has since been resolved. The parties have taken a conscious decision to amicably settle and live in peace and harmony.

Under such circumstances, criminal proceedings, if, permitted to continue on the basis of the registration of the impugned F.I.R would be construed as an abuse of the process of law as also of the Court.

Accordingly, petition is allowed. F.I.R. No.59 dated 24.5.2012 under Sections 498-A, 406, 34 I.P.C registered at Police Station, Sector 17-18, Gurgaon and all proceedings emanating therefrom, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

March 12, 2015
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