

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

CRM-M No.7059 of 2015 (O&M)

Decided on: 16.07.2015

Devender Kumar & another . . . Petitioners

Versus

State of Haryana & another . . . Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Amit Singla, Advocate
for the petitioners.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.183 dated 08.06.2013, under Sections 323, 406, 498-A, 504, 506 and 34 IPC, registered at Police Station City Mandi Dabwali, District Sirsa, on the basis of compromise.

Since quashing was sought on the basis of compromise, this Court on 03.03.2015 had directed the parties to appear before the trial Court concerned for recording of their statements and a report as regards veracity of the compromise was called for.

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Placed on record is a report dated 03.04.2015 of the learned Sub Divisional Judicial Magistrate, Dabwali, and a perusal thereof would reveal that the statements of the complainant- Amandeep Kaur as also accused Davender Kumar and Krishan Kumar-petitioners have been duly recorded and it has been opined that compromise that has been effected between the parties is without any pressure or coercion. Even the statements of the parties that have been recorded stand appended along with the report.

A Full Bench of this Court in ***Kulwinder Singh and others Vs.State of Punjab and another, 2007(3) RCR (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 the criminal prosecution in the light of compromise that may have been effected between the parties, even in relation to non compoundable offences.

Adverting back to the facts of the present case, the dispute was essentially matrimonial in nature and the same has since been resolved.

In the light of the compromise having been effected between the parties, it would be a futile exercise for the criminal proceedings to continue as such. It would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. FIR No.183 dated 08.06.2013, under Sections 323, 406,

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498-A, 504, 506 and 34 IPC, registered at Police Station City
Mandi Dabwali, District Sirsa and all proceedings emanating
therefrom stand quashed.

Petition allowed in the aforesaid terms.

[TEJINDER SINGH DHINDSA]
JUDGE

16.07.2015
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