

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-9522 of 2014.
Date of Decision : 15.05.2015.

Parveen Kumar and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Vandana Sharma, Advocate for
Mr. Rajesh Lamba, Advocate for the petitioners.

Mr. M.S. Sidhu, Additional Advocate General, Haryana.

Tejinder Singh Dhindsa, J.(Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 137, dated 15.04.2011, under Sections 498-A, 406, 506 IPC, registered at Police Station Mujesar, District Faridabad, on the basis of compromise.

On 19.5.2014 this Court had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements and a report with regard to veracity of the compromise was also called for.

Placed on record is a report dated 04.07.2014 of the learned Chief Judicial Magistrate, Faridabad and a perusal of the same would reveal that the statements of complainant Meenakshi as also of the accused, namely, Parveen Kumar (present petitioner) have been duly recorded. As per compromise effected between the parties a total sum of ₹2,50,000/- has been paid to the complainant and the parties have taken a decision to part ways.

Complainant Meenakshi is also present in Court and has

also produced for perusal of the Court a valid identity proof i.e. Adhar Card and a copy of the same is taken on record as mark 'A'. She has also stated that the compromise has been effected.

Learned counsel appearing for the petitioner and the complainant herself have further submitted that even a petition under Section 13B of the Hindu Marriage Act seeking dissolution of marriage by mutual consent was filed and a decree of divorce has since been granted.

Keeping in view the facts noticed here-in-above, wherein the matrimonial dispute between the parties already stand settled and the parties have taken a conscious decision to part ways, it would be an abuse of the process of law as also of the Court for the criminal prosecution to continue in pursuance to the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 137, dated 15.04.2011, under Sections 498-A, 406, 506 IPC, registered at Police Station Mujesar, District Faridabad and all proceedings emanating therefrom stand quashed.

Petition allowed.

May 15, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE