

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-14191 of 2016

Date of decision : 05.09.2016

Ranjan Sardana and others

..... Petitioners

versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sunil Kumar Nehra, Advocate
for the petitioners

Mr. Sanjay K. Saini, AAG Haryana

Mr. Dilraj Singh Brar, Advocate
for respondent No. 2

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No. 1 dated 22.01.2016 filed under Sections 34, 377, 406, 498-A and 506 IPC registered at Police Station Women Police Station, Panipat, District Panipat and the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Learned State counsel has filed reply in the Court today and the same is taken on record.

Parties are present in the Court today.

The parties were directed to appear before the Illaqa Magistrate/Duty Magistrate on 02.06.2016 for getting their statements recorded with regard to the compromise but later on there were differences and another compromise deed (Annexure P-3) was prepared. Rs. 10 lacs is admitted to have been received by the respondent No. 2 - complainant. A petition under Section 13-B of the Hindu Marriage Act has been filed and the first statement has been recorded.

Learned counsel for the petitioners states that they have deposited Rs.

20 lacs which would be paid to the complainant at the time of second motion. The

parties had agreed that the FIR would be quashed after the first amount was deposited.

The complainant has no objection to the quashing of the FIR. She states that petitioners may not back out. The petitioners also fear that the complainant may not make statement in the divorce proceedings.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise.

The trial Court has reported that the compromise is voluntary and without any pressure or coercion. The trial Court has also sent copy of statements of parties.

Learned State counsel on instructions submits that petitioners are the accused and respondent No. 2 is the complainant/aggrieved persons in this case.

No useful purpose would be served to keep the said FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and another***, 2007(3) RCR (Criminal) 1052, approved by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others*** (2012) 10 SCC 303, the instant petition is allowed and the aforesaid FIR and all the consequent proceedings arisen out of the same are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

September 05, 2016
reena

(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No