

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

**Criminal Misc. No. M-32440 of 2015
Date of decision: 01.02.2016**

Saurabh Verma and others

..Petitioners

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. Virender Soni, Advocate
for the petitioners.

Ms. Neelam Kashyap, DAG, Haryana
for respondent No.1 – State.

Mr. Karan Singh, Advocate
for respondent No.2.

Daya Chaudhary, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.150 dated 21.03.2015 registered under Sections 498-A and 406 of Indian Penal Code (for short 'IPC') at Police Station Sarai Khawaja, District Faridabad and other consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

Briefly, the facts of the case are that the marriage of petitioner No.1 was solemnized with complainant-respondent No.2 on 12.03.2012. Out of said marriage, one girl child was also born.

Subsequently, due to temperamental differences, dispute arose between the parties and thereafter, a complaint was made, on the basis of which, the aforesaid FIR was registered. During pendency of the proceedings, with the intervention of respectables and common relatives, the dispute between the parties was settled and it was decided that all the pending cases will be withdrawn in order to lead a happy and healthy life.

While issuing notice of motion on 29.10.2015, the parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

In response to the said directions issued by this Court, the parties have appeared before the trial Court and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is genuine and without any pressure from either side. Complainant-respondent No.2 has specifically stated in her statement that she has settled the dispute with the accused persons and has no objection in quashing of the FIR and other proceedings. It has also been mentioned in the report that co-accused namely, Saroj Verma and Gaurav Verma, were not present and only statement of accused-Saurabh Verma was recorded, who has stated that co-accused-Saroj Verma is bed ridden and is not in a position to appear before the trial

Court.

Learned counsel for respondent No.2 has also not disputed the factum of compromise arrived at between the parties as well as the statements recorded before the trial Court.

Heard.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

It has also been held by Five Judges' Bench of our own High Court in **Kulwinder Singh and others vs. State of Punjab and others, 2007(3) RCR (Criminal) 1052** that this Court has wide power to quash the criminal proceedings even in non-compoundable offences, notwithstanding the bar under Section 320 of the Criminal Procedure Code in order to prevent abuse of the process of law or to secure the ends of justice.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.150 dated 21.03.2015 registered under Sections 498-A and 406 IPC at Police

Station Sarai Khawaja, District Faridabad as well as all subsequent proceedings arising therefrom qua petitioners, namely, Saurabh Verma, Gaurav Verma and Saroj Verma, are hereby quashed.

01.02.2016
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(DAYA CHAUDHARY)
JUDGE