

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

**Crl. Misc. No.M-38486 of 2015**

Date of Decision: 18.05.2016

Sandeep Kumar and another

....Petitioners

Versus

State of Haryana and another

....Respondents

**BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

- 1. Whether reporters of local newspapers may be allowed to see the 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:- Ms. Priyanka Dalal, Advocate  
for the petitioners.

Mr. Sanjay Kumar Saini, A.A.G., Haryana  
for the respondent-State.

Mr. Raj Shekhar, Advocate  
for respondent No.2.

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**DAYA CHAUDHARY, J.**

The prayer in the present petition is for quashing of FIR No.559 dated 17.07.2012 registered under Sections 406/498-A/123/506/34 IPC at Police Station Karnal Civil Lines, District Karnal along with all subsequent proceedings arising therefrom on the basis of compromise.

The FIR, in question, was registered on the basis of complaint made by respondent No.2, wherein, certain allegations of demand of dowry and harassment were levelled against four persons named therein. Subsequently, brother and sister of petitioner No.1 filed a petition bearing **Criminal Misc. No.M-5343 of 2014** before this Court for quashing of FIR

on merits and the same was allowed on 09.10.2014 and the FIR qua them was quashed. Thereafter, a compromise was arrived at between the present petitioners and complainant-respondent No.2. As per compromise deed, a petition under Section 13-B of the Hindu Marriage Act was decided to be filed for dissolution of marriage by way of decree of divorce with mutual consent. The said petition has been allowed.

Notice of motion was issued in the case on 16.11.2015 and the parties were directed to appear before the Illaqa Magistrate/trial Court for recording of their statements with regard to compromise.

In response to the directions issued by this Court on 16.11.2015, the statements of the parties were recorded, wherein, the factum of compromise has been affirmed. After recording the statements of the parties, a report has been sent by Judicial Magistrate Ist Class, Karnal, stating therein, that the compromise effected between the parties is as per their free will and without any pressure. Complainant has no objection in quashing of FIR as well as other proceedings arising therefrom.

Learned counsel for the petitioners submits that as per statements of the parties recorded in view of directions issued by this Court on 16.11.2015, the factum of compromise has been affirmed. Complainant has specifically stated that she has no objection in quashing of FIR as well as other proceedings arising therefrom.

The statement made by learned counsel for the petitioners has not been disputed by learned counsel appearing on behalf of respondent No.2.

Heard the arguments of learned counsel for the parties and have also perused the allegations levelled in the FIR; the statements of the parties and other documents available on the file.

The compromise arrived at between the parties is as per their

free will and there is no pressure upon them from either side. Complainant-respondent No.2 has specifically stated in her statement that she has no objection in quashing of FIR as well as other proceedings arising therefrom.

It is a matrimonial dispute and the same has been settled between the parties. Complainant-respondent No.2 is satisfied with the compromise and she has specifically stated in her statement that she has no objection in any manner and she does not want to proceed against the accused persons.

A larger Bench of this Court in ***Kulwinder Singh vs State of Punjab 2007(3) RCR (Criminal) 1052*** has also observed that the proceedings can be quashed even in case of non-compoundable offences, in case, the compromise is there between the parties.

By exercising the powers under Section 482 Cr.P.C and by considering the interest of the parties, the present petition is allowed. FIR No.559 dated 17.07.2012 registered under Sections 406/498-A/123/506/34 IPC at Police Station Karnal Civil Lines, District Karnal along with all consequential proceedings arising therefrom qua petitioners-Sandeep Kumar and Raj Rani are hereby quashed.

18.05.2016  
**gurpreet**

(DAYA CHAUDHARY)  
JUDGE