

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

-.-

CrI. Misc. M 25480 of 2016
Date of decision: 19.01.2017

Karamjeet and others

..... *Petitioners*

Versus

State of Haryana and another

.....*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Deepak Kaushal, Advocate
for the petitioners

Mr. Amrik Narwal, DAG, Haryana

Mr. H P S Bhinder, Advocate
for respondent No. 2

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Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No.189 dated 21.07.2015 for offence punishable under Sections 323, 406, 498-A, 504 and 506 read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Kalanwali District Sirsa and proceedings emanating therefrom on the basis of compromise dated 13.06.2016 (Annexure P-2) arrived at between the parties.

In the present case, aforesaid FIR was got registered at the behest of complainant – Ramandeep Kaur wife of petitioner No. 1. Now, all the differences between respondent-wife and petitioner No. 1 and his family members have been settled and in pursuance thereof, the complainant has

resumed cohabitation and is residing in her matrimonial home.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 2 have resolved their all differences amicably vide compromise deed dated 13.06.2016. Further, none of the petitioners has been declared proclaimed offender.

Vide order dated 22.11.2016, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Dabwali wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State of Punjab and respondent No. 2 do not dispute genuineness of the compromise arrived at between the parties in view of statement got recorded by the parties before the trial Court.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '***Gian Singh v. State of Punjab and another***', 2012(4) ***R.C.R. (Criminal)*** 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR

No.189 dated 21.07.2015 for offence punishable under Sections 323, 406, 498-A, 504 and 506 read with Section 34 IPC registered with Police Station Kalanwali District Sirsa and proceedings emanating therefrom on the basis of compromise dated 13.06.2016 stand quashed qua the petitioners. Petitioner No. 1 and respondent No. 2 shall remain bound by the terms and conditions of the compromise.

(Rekha Mittal)
Judge

19.01.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No