

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

-.-

Crl. Misc. M 26464 of 2016
Date of decision: 08.02.2017

Sanjay Kumar Ranga and others

..... Petitioners

Versus

State of Haryana and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Munish Behl, Advocate
for the petitioners

Mr. Amrik Narwal, DAG, Haryana

Mr. J S Khattar,, Advocate
for respondent No. 2

-.-

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. 293 dated 02.08.2010 for offence punishable under Sections 323, 406, 498-A, 504 and 506 of the Indian Penal Code (in short, 'IPC') registered with Police Station Ambala City, District Ambala and proceedings emanating therefrom on the basis of compromise dated 27.01.2016 (Annexure P-5) arrived at between the parties.

In the present case, the matrimonial discord between petitioner No. 1 and respondent No. 2 led to filing of said FIR. Now, the matter has been amicably resolved and they have decided to reside together as husband and wife vide compromise deed dated 27.01.2016. Moreover, the petitioners have already been acquitted of the charges levelled against them

vide judgment dated 10.08.2015 passed by the trial Court. Dissatisfied with the impugned judgment of acquittal, State of Haryana as well as complainant Rajni preferred appeals. However, during pendency of the appeals, a compromise (Annexure P5) has been arrived at between the parties.

Vide order dated 01.12.2016, the parties were directed to appear before the appellate Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Additional District and Sessions Judge, Ambala wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

Counsel for respondent No. 2 has submitted that he has no objection if said FIR and proceedings emanating therefrom are quashed.

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. 293 dated 02.08.2010 for offence punishable under Sections 323, 406, 498-A, 504 and 506 IPC registered with Police Station Ambala City, District Ambala and proceedings emanating therefrom on the basis of compromise dated 27.01.2016, stand quashed qua the petitioners.

(Rekha Mittal)
Judge

08.02.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No