

265

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 32612 of 2017
Date of Decision: 02.11.2017

Sudesh Kumari and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Paramjit Singh Sullar, Advocate,
for the petitioners.

Mr. Tanuj Sharma, A.A.G., Haryana,
for respondent No. 1.

Mr. K.Arun Singh, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in Criminal Complaint No. 2, dated 28.01.2013, under Sections 307, 328 and 120-B of the Indian Penal Code, (Annexure P-1), have prayed for quashing of the Criminal Complaint with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Affidavit (Annexure P-5), which is duly signed by her. The matter was

referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Additional District and Sessions Judge, Ambala, vide report dated 09.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 is represented by her counsel.

[4]. It transpires that petitioner No. 1 happens to be the own daughter-in-law of respondent No. 2, while the other (three) petitioners are her brothers and mother. As such, the parties are closely related to each other.

[5]. Earlier, the criminal proceedings arising out of the dispute between petitioner No. 1 and her husband Dalbir Singh were quashed, following an amicable settlement/agreement arrived at between them on 12.07.2017 in connection with F.A.O. No. 6626 of 2016, in this Court.

[6]. At present, there is no dispute between the parties, who are now stated to be residing happily together.

[7]. In view of the report of the Additional District and Sessions Judge, Ambala, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioners/ accused persons.

[8]. In the circumstances, the present petition is allowed. Criminal

Complaint No. 2, dated 28.01.2013, under Sections 307, 328 and 120-B of the Indian Penal Code, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

02.11.2017

Apurva

(SUDIP AHLUWALIA)

JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No