

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

-.-

Crl. Misc. M 45849 of 2016  
Date of decision: 31.05.2017

*Hitesh Kumar and others*

*..... Petitioners*

*Versus*

*State of Haryana and another*

*.....Respondents*

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

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Present: Mr. Gaurav Tyagi, Advocate  
for the petitioners

Mr. Amrik Narwal, DAG, Haryana

Mr. J K Gupta, 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. 93 dated 09.06.2016 for offence punishable under Sections 406, 498-A and 506 read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Women, District Gurgaon and proceedings emanating therefrom on the basis of compromise dated 17.07.2016/19.07.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that dispute between the parties arising out of marital disharmony has been settled by way of compromise (Annexure P2).

Vide order dated 16.03.2017, the parties were directed to appear before the Illaqa Magistrate/Duty Magistrate to get their statements

recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Gurugram, 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 report of the Court below.

Counsel for respondent No. 2 concedes to the position.

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. 93 dated 09.06.2016 for offence punishable under Sections 406, 498-A and 506 read with Section 34 IPC registered with Police Station Women, District Gurgaon and proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioners.

(Rekha Mittal)  
Judge

31.05.2017  
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Whether speaking/reasoned : Yes/No  
whether reportable : Yes/No