

CRM-M-15014-2017

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

CRM-M-15014-2017

Date of Decision: 09.01.2018

Bhawna Bharti @ Sonika

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ashok Kumar Khubbar, Advocate, for the petitioner.

Mr. Karan Sharma, A.A.G., Haryana.

Ms. Parveen Mann, Advocate, for
Mr. R.S. Budhwar, Advocate, for respondent no. 2.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No. 302 dated 15.04.2013, registered against the petitioner at Police Station Civil Lines, Karnal, for the alleged commission of offences punishable under Sections 506/34 IPC, along with all proceedings emanating therefrom, is sought to be quashed on the basis of a compromise arrived at between the petitioner-accused and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 01.05.2017, the parties were directed to appear before the learned Illaqa Magistrate/trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Judicial Magistrate Ist Class, Karnal, has been sent to this Court, in which it is stated that the complainant (respondent no. 2, Prem Parkash @ Prem Parkash Bharti), and the accused (petitioner Bhawna Bharti @ Sonika), have both suffered statements to the effect that the matter has been compromised without any fear or pressure on either of them. However, one Nathu Ram who is also stated to be an accused, has been

declared a Proclaimed Offender.

Further, it has been stated that no other criminal case has been registered against the petitioner.

The statement of the petitioner-accused and respondent no. 2-complainant, along with a copy of the zimini order dated 03.05.2017, have also been sent by the learned Judicial Magistrate Ist Class, Karnal, in a sealed cover, which has also been annexed with the petition.

Though one of the accused persons in the FIR is stated to be the aforementioned Nathu Ram, however, learned counsel for the petitioner as well as learned counsel for respondent no. 2-complainant do not dispute that the issue actually arose out of a matrimonial dispute between the petitioner and the complainant.

That being so, I see no purpose in continuing with the criminal proceedings, even though the aforesaid Nathu Ram has been declared as a Proclaimed Offender, keeping in view the ratio of the law laid down by the Supreme Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*. In the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will, and the nature of the offences alleged not being so serious as to consider it a crime against society.

Consequently, the petition is allowed and FIR No. 302 dated 15.04.2013, registered against the petitioner at Police Station Civil Lines Karnal, for the alleged commission of offences punishable under Sections 506/34 IPC, along with all proceedings emanating therefrom, is hereby quashed.

January 09, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.