

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-22198 of 2018
Date of decision:13.07.2018

Gitali @ Pankaj

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Ankush Chaudhary, Advocate
for Mr. Sukhdeep Parmar, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

Mr. R.K. Chadha, Advocate
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 377 dated 29.09.2016 (Annexure P-1), registered for offences punishable under Sections 506 Indian Penal Code (for short 'IPC') at Police Station Matlauda, District Panipat along with all consequential proceedings arising therefrom, on the basis of the compromise 14.05.2018 (Annexure P-2). (Offences punishable under Sections 497/380/451 IPC were added later on).

As per allegations in the FIR, petitioner is wife of respondent no. 2-complainant. There was matrimonial discord. Complainant has also levelled allegation that petitioner was having illicit relations with co-accused Amit.

Learned counsel for the petitioner submits that the matter has since been settled vide compromise (Annexure P-2) and under the settlement petitioner and respondent no. 2 have agreed to dissolve their marriage by way

Marriage Act.

Learned counsel for respondent No.2-complainant has submitted that in view of the compromise (Annexure P-2), respondent no. 2-complainant has no objection if the impugned FIR (Annexure P-2) is quashed against the petitioner.

Learned State counsel has also not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 01.06.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No. 377 dated 29.09.2016 (Annexure P-1), registered at Police Station Matlauda, District Panipat along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 13, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No