

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

**CRM-M-2731 of 2018
Date of decision:19.3.2018**

Sweety Sachdeva and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Prateek Rathee, Advocate
for the petitioners.

Mr. Vikas Chopra, DAG, Haryana
for respondent No.1.

Mr. Raghav Dayal Gupta, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

The dispute is between husband and wife. The other criminal case i.e. FIR No. 208 of 2016 under Sections 498A, 406 and 34 of the Indian Penal Code registered at Police Station Punjabi Bagh has already been quashed by way of writ petition bearing No. W.P.(CRL) 3672 of 2016 by High Court of Delhi on the basis of compromise effected

between the parties. The present petition is also filed for quashing of FIR No. 281 dated 27.08.2015 under Sections 468, 471, 467, 420, 120-B, 506 and 384 of the Indian Penal Code registered at Police Station DLF Phase-1, Gurugram, Haryana on the basis of compromise entered into between the parties.

2. Heard learned counsel for both the parties and perused the paper book.

3. Both the parties were directed by this Court vide order dated 15.02.2018 to appear before the learned Illaqa Magistrate/ Trial Court and to get their statements recorded and in pursuance thereof, learned Judicial Magistrate 1st Class, Gurugram recorded the statements of both the parties and submitted a report dated 27.02.2018 and operative part of the same reads as under:

'Today, an application was moved by accused through counsel to record the statements of parties regarding compromise. Statements of complainant Sh. Manish Sachdeva and accused/applicants namely Ms. Swity Sachdeva and Sh. Rohan Barua recorded in the presence of their respective counsels regarding compromise between the parties. A document/MOU Ex. C1 containing settlement between the parties has also been placed on the case file stating that the original is filed in the Hon'ble High Court. Before recording the statement it was inquired from both the parties whether they are deposing voluntarily to

which they replied in affirmative. This Court finds no other suspicious circumstances to doubt the voluntariness of the parties. As per FIR there are only two accused namely Ms. Swity Sachdeva and Sh. Rohan Barua who are already appearing. Certified copies of statements of both the parties as well as document Ex. C1 are attached herewith for the kind perusal of Hon'ble Punjab & Haryana High Court.'

A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even before this Court also, the parties are not disputing the factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel and learned counsel for respondent No.2 on a specific query put to them by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case. Learned State counsel further submits that untraced report in this case has been prepared by the police.

5. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the aforesaid FIR and all consequential proceedings resulting therefrom are quashed qua petitioner(s).

6. Petition is allowed.

19.03.2018
rashmi

(MAHABIR SINGH SINDHU)
JUDGE

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| 1. | Whether reportable? | Yes / No |
| 2. | Whether reasoned / speaking? | Yes / No |