

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CRM-M-57227-2018 (O&M)
Date of decision:25.03.2019

Rampal Kundu

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: Hon'ble Mr. Justice Harinder Singh Sidhu

Present: Mr. Aayush Gupta, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr.Rajesh Lamba, Advocate for respondents No.2 & 3.

Harinder Singh Sidhu, J.

This petition has been filed under Section 482 Cr.P.C., for quashing of FIR No. 104 dated 24.12.2014, under Sections 148, 149, 323, 341, 427, 506 & 120-B of Indian Penal Code, registered at Police Station Titram, District Kaithal (Annexure P-1) and all other consequential proceedings qua the petitioner on the basis of compromise.

The petitioner is father-in-law of respondent No.3, who was married to the daughter of the petitioner namely Manisha. Respondent No.2 is father of respondent No.3. Respondent No.3 had filed the petition under Section 13 of Hindu Marriage Act seeking divorce from his wife-Manisha. Divorce petition was allowed and then Manisha filed FAO-M-135-2014. During pendency of the said FAO-M-135-2014, a compromise was arrived

at between the parties. Amongst other terms it was decided that respondent No.3 would suffer a statement for quashing the FIR pertaining to the petitioner. This is recorded in the order dated 12.10.2018, passed in FAO-M-135-2014. Pursuant thereto, the present petition has been filed for quashing of FIR qua the petitioner.

Vide order dated 01.02.2019, the parties were asked to appear before the trial Court for getting their statements recorded regarding the compromise.

Pursuant thereto, the parties had appeared before the learned Judicial Magistrate Ist Class, Kaithal, who has submitted the report dated 27.02.2019 stating that the compromise has been effected to maintain peace and harmony between the parties. The compromise is genuine, voluntary and without any coercion or undue influence.

In view thereof, this petition is allowed. FIR No. 104 dated 24.12.2014, under Sections 148, 149, 323, 341, 427, 506 & 120-B of Indian Penal Code, registered at Police Station Titram, District Kaithal (Annexure P-1) and all other consequential proceedings qua the petitioner, is quashed.

(HARINDER SINGH SIDHU)
JUDGE

25.03.2019

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Whether speaking/ reasoned:
Whether Reportable:

Yes
Yes/No