

113 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-12808-2019 (O&M)

Date of Decision: 05.10.2020

Abhijat Paliwal and others Petitioners

Versus

State of Haryana and another Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Ms. Tanu Bedi, Advocate, for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

Mr. Saurabh Gautam, Advocate for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

CRM-24414-2020

For the reasons mentioned in the application, the prayer for fixing the date of hearing is allowed and the matter is taken up for consideration today itself on board.

Main Case

In this petition, the petitioners, who are the accused persons in F.I.R No.212, dated 01.07.2017, under Sections 34, 406, 498-A, 506 IPC, 328 and 342 of the Indian Penal Code added later on, registered at Women Police Station, Sector 51 Gurugram (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of

the compromise arrived at between the parties. The Ld. Judicial Magistrate 1st Class, Gurugram, vide report dated 04.05.2019 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No. 2 is represented by her counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Gurugram, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. F.I.R No.212, dated 01.07.2017, under Sections 34, 406, 498-A, 506 IPC, 328 and 342 of the Indian Penal Code added later on, registered at Women Police Station, Sector 51 Gurugram (Annexure P-1), with all consequential proceedings arising therefrom, is hereby quashed *qua* the petitioners.

05.10.2020

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(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No