

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M-28246 of 2020

Date of Decision:30.10.2020

Gurpreet Singh

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Amrita Nagpal, Advocate,
for the petitioner.
Mr. Deepak Bhardwaj, DAG, Haryana.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed seeking quashing of FIR No.0801, dated 12.10.2019 (as also all other subsequent proceedings arising therefrom), registered at Police Station Model Town, Panipat, for the alleged commission of offences punishable under Sections 323, 328, 406, 498-A and 506 of the IPC read with Section 34 thereof, on the basis of a compromise arrived at between the petitioner (accused) and respondent no.2, i.e. the complainant.

Pursuant to the order dated 17.09.2020, the report of the learned JMIC, Panipat, (dated 13.10.2020) has been received, stating therein that the complainant (in the FIR), Sukhjinder Kaur, made a statement to the effect that a compromise has been effected between her and the petitioner (Gurpreet Singh) and that she had also received an amount of Rs.15, 65,000/- by way of a demand draft from him and that she would make her statement in the second motion, in the petition filed under the provisions of Section 13-B of the Hindu Marriage Act,

1955 and further, that she would withdraw all cases filed by her under the provisions of Section 125 of the Cr.P.C. and Section 12 of the Protection of Women from Domestic Violence Act, 2005.

Similarly, the statement of the petitioner was also recorded by that court; and as per the opinion of that court, the matter has been compromised between the parties wholly voluntarily.

It has further been stated that as per the statement of Assistant Sub-Inspector Kaptan Singh, no other person was found to be actually guilty of the commission of any offence in the FIR, with Kulwinder Singh, Jaswinder Kaur, Ranjeet Singh and Satwant Kaur having been found to be innocent.

That being so, looking at the nature of the offences alleged to have to have been committed and it being essentially a matrimonial dispute, and the complainant having amicably settled the the matter with the petitioner, the petition is allowed and FIR No.0801, dated 12.10.2019, registered at Police Station Model Town, Panipat, District Panipat, for the alleged commission of offences punishable under Sections 323, 328, 406, 498-A and 506 of the IPC read with Section 34 thereof, along with all proceedings emanating therefrom, is hereby quashed.

Though the reply of the State would not be necessary in the aforesaid circumstances, however, since it is stated to have been filed, it is ordered to be taken on record.

October 30, 2020
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No