

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

CRM-M-28366-2020

Date of Decision:-12.10.2020.

Siddhanth Malhotra and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Amit Kumar Jain, Advocate for the petitioners.

Ms. Mahima Yashpal, DAG, Haryana.

SANJAY KUMAR, J. (Oral)

By way of this petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.0304 dated 28.07.2020 on the file of Police Station Sector-53 Gurugram, District Gurugram, registered under Sections 323, 34 and 506 IPC. This FIR was registered at the behest of the second respondent herein, the wife of the first petitioner. The other petitioners are his family members. The basis for seeking quashing of the FIR is the settlement of disputes by the first petitioner with the second respondent, *vide* compromise-cum-settlement dated 20.08.2020 (Annexure P-2).

This Court took note of this aspect and directed all the parties to appear before the Illaqa Magistrate/trial Court on 29.09.2020 to get their statements recorded. The Illaqa Magistrate was directed to submit a report as to whether there was any other accused apart from the petitioners and whether there was any other complainant apart from the second respondent.

Pursuant to the said order, the Judicial Magistrate First Class, Gurugram, submitted Report dated 01.10.2020. Therein, she stated that all the parties appeared before her on 29.09.2020 and she recorded their statements. She further stated that she was convinced that the compromise between the parties was genuine and without any pressure. She confirmed that there was no other complainant and no other accused except the parties who appeared before her.

Mr. Munfaid Khan, learned counsel, entered appearance for the second respondent and confirmed the factum of the compromise. He further stated that his client has no objection to the quashing of the subject FIR.

In the light of the aforestated facts and as the offence essentially arises out of a matrimonial dispute, this Court is inclined to accept the settlement thereof by and between the couple, the first petitioner and the second respondent herein. No purpose would be served in wasting the State's time and resources in prosecuting this case. Further, in the circumstances obtaining, it would be an exercise in futility as the conclusion stands sealed by the compromise. It would therefore be better to give a quietus to the matter at this stage.

The petition is allowed. FIR No.0304 dated 28.07.2020 on the file of Police Station Sector-53 Gurugram, District Gurugram, and all proceedings relating thereto shall accordingly stand quashed.

(SANJAY KUMAR)
JUDGE

October 12, 2020.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.