

CRM-M-44592-2019

Date of Decision: 10.02.2020.

**Ruksina and Another**

**... Petitioners**

**vs.**

**State of Haryana and Another**

**.. Respondents**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present : Ms. Rosi, Advocate, for the petitioners.

Mr. Sulinder Kumar, AAG, Haryana.

Ms. Anu Bala Garg, Advocate, for respondent No.2.

\*\*\*\*\*

**VIVEK PURI, J.(ORAL)**

Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No. 302 dated 22.05.2018, under sections 323/452/379-A/506/34 IPC registered at Police Station Nuh, District Nuh (Mewat), Haryana and all consequential proceedings arising therefrom, on the basis of compromise.

Briefly, the allegations are to the effect that petitioner No.1 is the first wife of Jamshed and respondent No.2 is the second wife of Jamshed. Further the allegations are to the effect that on 16.05.2018, the petitioners had given kick blow on the person of respondent No.2 and petitioner No.2 also snatched her golden chain.

On 18.10.2019, notice of motion was issued and petitioners and respondent No.2 were directed to appear before the learned Area Magistrate for getting their statements recorded with regard to the compromise arrived at between them.

Pursuant to above-said order dated 18.10.2019, report has been received from Judicial Magistrate 1<sup>st</sup> Class, Mewat, the relevant portion whereof reads as under:-

*“From the statements of the parties it is clear that the parties have amicably settled the matter and the compromise has been effected voluntarily and without any force or pressure. From the statement of the complainant Mufidan wife of Jamshed, it is clear that no other person is involved in the occurrence except the parties namely Mufidan (complainant), Ruksina and Lakhpat (accused).”*

Reply by way of affidavit of Anil Kumar, HPS, Deputy Superintendent of Police, Nuh, on behalf of respondent No.1-State has been placed on record which indicates that after investigation, the challan has been presented and the case has been committed to the Court of Sessions.

Learned counsel appearing on behalf of both the parties admit that the parties have settled their dispute.

In view of said circumstances and following the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others 2007(3) R.C.R. (Criminal) 1052***, the present petition is allowed and FIR No.302 dated 22.05.2018, under sections 323/452/379-A/506/34 IPC registered at Police Station Nuh, District Nuh (Mewat), Haryana and all subsequent proceedings having arisen therefrom are hereby quashed qua the petitioners.

10.02.2020.  
smriti

(VIVEK PURI)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No