

CRM-M-11063-2020

Date of Decision: 07.10.2021

Aashish

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Anuj Garg, Advocate,
for the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana.

Mr. M.M. Pandey, Advocate,
for respondent no. 2.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks quashing, on the basis of a compromise arrived at between him and respondent no. 2, of FIR no. 0486, dated 17.10.2016, registered at Police Station City Tohana, District Fatehabad, for the alleged commission of offences punishable under the provisions of Sections 323/34/498-A/506 of the IPC, as also all other subsequent proceedings arising therefrom. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

Pursuant to the order of this court dated 13.08.2021, a report of the learned Sub-Divisional Judicial Magistrate, Tohana, dated 01.09.2021, has been received, stating to the effect that the complainant in the FIR, i.e. Chinky, wife of the petitioner, made a statement before that court to the effect that the matter has been compromised by her with the petitioner (her

husband) voluntarily and without any pressure and that she is living with her husband and does not wish to proceed further with the “present case”.

A similar statement was made by the petitioner.

As per the report, the investigating officer also suffered a statement to the effect that other than the present criminal proceedings, no other case is pending against the petitioner.

As per the assessment of that court, the compromise has been entered into of the free will of the parties without any pressure or coercion.

That being so and the dispute essentially being between a husband and wife and it having amicably settled between the parties as per their statements recorded before the learned Magistrate, the petition is allowed and FIR no. 0486, dated 17.10.2016, registered at Police Station City Tohana, District Fatehabad, for the alleged commission of offences punishable under the provisions of Sections 323/34/498-A/506 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

October 07, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.