

CRM-M-30174-2021(O&M)

Date of Decision: 22.11.2021

Raghav Madaan and others

..... Petitioners

Versus

State of Haryana and another

.....Respondents

(Through Video Conferencing)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.S.Jaswal, Advocate, for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. S.S.Sangwan, Advocate
for respondent No.2.

MANJARI NEHRU KAUL J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C for quashing of FIR No.146 dated 12.04.2021, under Sections 323, 377, 406, 498-A IPC, registered at Police Station Pinjore, District Panchkula and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 06.07.2021 (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioners states that on account of a marital discord between petitioner No.1 and the complainant, FIR in question came into existence. He further submits that subsequently, the matter stands amicably resolved between the parties and a joint petition under Section 13-B of the Hindu Marriage Act has been filed.

Vide order dated 22.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Report dated 25.10.2021 has since been received from the Sub-Divisional Judicial Magistrate, Kalka in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is genuine and voluntary. The trial Court has annexed the original copies of the statements of the parties alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Sub-Divisional Judicial Magistrate, Kalka and the principles laid down by the Apex Court in ***Gian Singh Vs. State of Punjab and others, (2012) 10 SCC 303***, and also by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, the instant petition(s) is allowed. The aforesaid FIR along with all consequential proceedings arising out of them, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

November 22, 2021
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No