

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 254

CRM-M-35248-2021

Date of decision : 15.11.2021

Jasmeet Singh Mahil and another

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Rishabh Gupta, Advocate, for the petitioners.

Mr.Anmol Malik, DAG, Haryana.

Mr.Sudershan Moudgil, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.222 dated 09.07.2020, registered under Sections 406, 420, 467, 468, 471 and 120-B IPC at Police Station Chandimandir, District Panchkula on the basis of compromise dated 24.08.2021 (Annexure P-2) entered into between the parties.

On 27.08.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this Court whether all the accused are party to the compromise and whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 17.09.2021 from the Additional Chief Judicial Magistrate, Panchkula has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; the petitioners are the only accused involved; in addition to the present FIR, one another case being FIR No.337

dated 01.09.2020 registered under Sections 406 and 498-A IPC at Police Station Zirakpur, District SAS Nagra (Mohali) is pending against the petitioners and that no proclamation proceedings are pending against the petitioners.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR which arises out of a matrimonial dispute and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052, this Court deems it just and proper to allow the petition and resultantly quash FIR No.222 dated 09.07.2020, registered under Sections 406, 420, 467, 468, 471 and 120-B IPC at Police Station Chandimandir, District Panchkula and all proceedings arising therefrom, qua the petitioners.

15.11.2021
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No