

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

Sr. No.205

CRM-M-34248-2020

Date of decision: 04.01.2021

Sagar Radheshyam Khori and others

....Petitioners

versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Amit Chaudhary, Advocate, for the petitioners.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

None for respondent No.2.

* * *

DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.481 dated 17.10.2018 registered under Sections 323, 406, 498-A and 506 IPC at Police Station S.G.M. Nagar (Sanjay Gandhi Memorial Nagar), District Faridabad and all subsequent proceedings arising out of it on the basis of the compromise dated 07.10.2020 (Annexure P-2).

On 28.10.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 16.12.2020 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court whether the accused were ever declared as proclaimed offenders; number of persons arrayed as accused in the FIR and stage of the trial/proceedings.

As directed, report dated 17.12.2020 from the Judicial Magistrate, Ist Class, Faridabad 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; only petitioners are the accused in the FIR; none of them has been declared as proclaimed offender and the case is pending for prosecution evidence.

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 pertains to a matrimonial dispute between the parties; the trial is at the initial stage 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 the FIR No.481 dated 17.10.2018 registered under Sections 323, 406, 498-A and 506 IPC at Police Station S.G.M. Nagar (Sanjay Gandhi Memorial Nagar), District Faridabad and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

January 04, 2021

Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No