

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.232

CRM-M-43612-2021

Date of decision: 20.12.2021

Ravi

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Aayush Gupta, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Mr. Bhupender Singh, 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.0214 dated 12.11.2018, registered under Sections 498-A, 506 IPC at Police Station Women Police Station Jhajjar, District Jhajjar and all subsequent proceedings arising out of it on the basis of the compromise dated 05.10.2021 (Annexure P-2).

On 14.10.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 20.10.2021 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 and if is there any other case pending against them.

As directed, report dated 15.11.2021 from the District and Sessions Judge, Jhajjar 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; no other case is pending against the petitioner and also no proclamation proceedings are pending against him.

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 originates from a matrimonial dispute and in which the trial is yet to begin as also 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.0214 dated 12.11.2018, registered under Sections 498-A, 506 IPC at Police Station Women Police Station Jhajjar, District Jhajjar and all proceedings arising therefrom, qua the petitioner.

December 20, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No