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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(Sr. No. 240) **CRM-M No. 40490 of 2020**

Date of decision : 22.03.2021

Dharmender

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present **:** Mr. G.S.Sandhu, Advocate, for the petitioners.
Mr. Ashok Kumar Sehrawat, DAG, Haryana.
Mr. V.M.Khan, 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.65 dated 24.05.2019 under Sections 34, 406, 498-A, 506 IPC registered at Police Station Women, Faridabad, District Faridabad on the basis of a compromise dated 29.02.2020 (Annexure P-2) entered into between the parties.

On 17.12.2020, 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 any of the accused have ever been declared proclaimed offender(s).

As directed, report dated 29.01.2021 from the Judicial Magistrate, Ist Class, Faridabad has been received, as per which the

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parties had recorded their statements before the trial Court in terms of the compromise arrived at between them and that no proclamation proceedings/criminal cases are pending against the petitioner.

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; where the trial is at the initial stage and 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 FIR No.65 dated 24.05.2019 under Sections 498-A, 406 and 506 IPC registered at Police Station Women, Sector 16-A Faridabad and all proceedings arising therefrom qua the petitioner.

22.03.2021 **(DEEPAK SIBAL)**
Shivani Kaushik **JUDGE**

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