

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

CRM-M-49516 of 2019

Date of Decision: 18.02.2021

Sahil Kalra and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Tanmey Gupta, Advocate, for the petitioners.
Mr. Surender Singh, AAG, Haryana.
Mr. Ashok Kumar Munjal, Advocate,
for the respondent no.2.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conferencing.

By this petition, the petitioners seek quashing of FIR No.103, dated 27.08.2019, registered at Police Station Women, West Gurugram, alleging therein the commission of offences punishable under Sections 323/354-A/498-A/406/506/34 the IPC, as also all other subsequent proceedings arising therefrom, on the basis of a compromise (copy Annexure P-2) arrived at between the petitioners and respondent no.2 .

Pursuant to the order of this court dated 18.12.2020, the report of the learned JMIC, Gurugram, dated 19.01.2021, is on record, stating to the effect that on 'oral inquiry' both the parties had stated that the matter has been settled amicably without any pressure, with the complainant (respondent no.2 herein), also having stated that the compromise has been arrived at without any pressure and coercion. Naturally, the statements to that effect were recorded on 15.01.2021, as have been annexed with the report.

However, it is stated that petitioner no.4, Rajat Kalra, did not come present, with learned counsel appearing for the petitioners submitting that he is the brother of petitioner no.1 (brother-in-law of respondent no.2), who is residing in the United States and in fact he has not been arraigned as an accused in the report filed by the investigating agency.

Upon query to learned counsel for respondent no.2, he submits that respondent no.2 has no objection if the FIR is quashed even *qua* the said petitioner.

It has next been stated in the report of the learned Magistrate, that as per the statement of the Investigating Officer (before that court), the petitioners were not found to be involved in any other criminal case and further, no other person was found to be involved in the matter, whose consent would be required for the purpose of the compromise.

That being so, with learned counsel for respondent no.2 reiterating the commitment of the said respondent to the compromise reached between the parties, with it stated to be essentially a matrimonial dispute and with the statements, on the second motion in the petition filed under the provisions of Section 13-B of the Hindu Marriage Act, 1955, also stated to have been recorded, I see no purpose in continuing with the criminal proceedings.

Learned State counsel also submits that, as per instructions from Inspector Suman Nain, the offence punishable under Section 354 of the IPC has been in fact deleted from the FIR.

Consequently, the petition is allowed and FIR No.103, dated 27.08.2019, registered at Police Station Women, West Gurugram, alleging therein the commission of offences punishable under Sections 323/354-A/

498-A/406/506/34 the IPC, along with all proceedings emanating therefrom, is hereby quashed.

February 18, 2021

dharamvir/

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable: : Yes/No