

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 249

CRM-M-1911-2021

Date of decision : 21.03.2022

Amit Bhalla

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vansh Malhotra, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

Mr.Ankur Sheoran, Advocate, for
Mr.Rahul Jaswal, 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.59 dated 17.10.2017 registered under Sections 323, 34, 354-A, 354-C, 376, 406, 498-A, 506 and 511 IPC at Women Police Station, District Kaithal, on the basis of a compromise entered into between the parties.

A perusal of the reply filed by the State reveals that after investigation, offences under Sections 354-A, 354-C, 376, 511 and 34 IPC were not found to have been committed by the petitioner and accordingly, in the report under Section 173(2) Cr.P.C. the petitioner is sought to be prosecuted only under Sections 323, 406, 498-A and 506-IPC.

Learned counsel for the petitioner submits that in the FIR in question, after investigation, all heinous offences stand deleted and because the FIR originates from a matrimonial dispute which now stands compromised, the present petition may be allowed.

Learned State counsel has 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 from a matrimonial dispute between the parties 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.59 dated 17.10.2017 registered under Sections 323, 34, 354-A, 354-C, 376, 406, 498-A, 506 and 511 IPC at Women Police Station, District Kaithal and all proceedings arising therefrom qua the petitioner.

21.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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