

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.301

CRM-M-4505-2022

Date of decision : 16.05.2022

Bhupesh Kumar and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms.Sheenu Sura, DAG, Haryana.

None 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.205 dated 02.11.2018 registered under Sections 323, 498-A and 506 IPC at Women Police Station, Jhajjar, District Jhajjar on the basis of a compromise dated 10.01.2022 (Annexure P-2) entered into between the parties.

On 03.02.2022 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 number of persons arrayed as accused in FIR; whether any accused is proclaimed offender; whether the compromise is genuine, voluntary and without any coercion or undue influence; whether the accused are involved in any other case and the number of victims/complainants in the FIR.

As directed, report dated 28.03.2022 from the Judicial Magistrate Ist Class, 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; only the petitioners are arrayed as accused; none of them has been declared a proclaimed offender; only respondent No.2 is the victim/complainant and that the compromise is genuine, voluntarily and without any coercion or undue influence.

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 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 a 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.205 dated 02.11.2018 registered under Sections 323, 498-A and 506 IPC at Women Police Station, Jhajjar, District Jhajjar and all proceedings arising therefrom qua the petitioners.

16.05.2022  
shamsher

[DEEPAK SIBAL]  
JUDGE

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