

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 241

CRM-M-5050-2021

Date of decision : 22.03.2022

Sahib Singh and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Karunesh Kaushal, Advocate, for the petitioners.

Ms.Sheenu Sura, DAG, Haryana.

Mr.Vishal, Advocate, for

Mr.Abhay, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.75 dated 12.12.2019 registered under Sections 323/341/406/498-A/504/506/148/149 IPC at Women Police Station, Dabwali, District Sirsa on the basis of a compromise dated 07.01.2021 (Annexure P-2) entered into between the parties.

On 03.02.2021 this Court had directed the parties to appear before the Illaqa Magistrate 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 validity and genuineness of the compromise in question as also to make a report in respect of antecedent behaviour of criminal activity of the accused and also with regard to total number of accused involved in the case and his/their status of being proclaimed offender/person.

As directed, report dated 16.03.2021 from the Sub Divisional Judicial Magistrate, Dabwali 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 which is found to be genuine; only the petitioners are arrayed as accused who are not involved in any other criminal case and that none of them has been declared a proclaimed person.

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 arises from a matrimonial dispute between the parties 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 FIR No.75 dated 12.12.2019 registered under Sections 323/341/406/498-A/504/506/148/149 IPC at Women Police Station, Dabwali, District Sirsa and all proceedings arising therefrom qua the petitioners.

22.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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