

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

Sr. No.263

CRM-M-5683-2021

Date of decision: 20.04.2022

Himanshu Aggarwal and others

....Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Bhuwan Luthra, Advocate for
Mr. Gaurav Malhotra, Advocate
for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Arpit Bansal, 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.0057 dated 07.08.2020 registered under Sections 313, 34, 354-A, 377, 406 and 498-A IPC at Women Police Station, District Gurgaon and all subsequent proceedings arising out of it on the basis of the compromise dated 07.09.2020 (Annexure P-2).

On 08.02.2021 this Court had directed the parties to appear before the Illaqa Magistrate on 08.03.2021 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court if there is any other case pending against them; total number of accused involved in the case and his/their status of being proclaimed offender/person.

As directed, report dated 01.04.2021 from the Judicial Magistrate, Ist Class, Gurugram, 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 and none of the petitioners has been declared a proclaimed offender.

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 originates from a matrimonial dispute 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 the FIR No.0057 dated 07.08.2020 registered under Sections 313, 34, 354-A, 377, 406 and 498-A IPC at Women Police Station, District Gurgaon and all proceedings arising therefrom, qua the petitioners.

April 20, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No