

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

(Sr. No. 254)

**CRM-M No. 5420 of 2022
Date of decision : 21.03.2022**

Rohit Garg

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Chander Shekhar, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Ashit Malik, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 902 dated 15.10.2016 registered under Sections 323, 406, 498-A and 506 IPC at Police Station Thanesar City, district Kurukshetra on the basis of the compromise between the parties.

On 09.02.2022, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 22.02.2022 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 veracity of the compromise between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 28.02.2022 from the Judicial Magistrate First Class, Kurukshetra 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 that no proclamation proceedings are pending against the petitioner.

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 is arising out of 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 FIR No. 902 dated 15.10.2016 registered under Sections 323, 406, 498-A and 506 IPC at Police Station Thanesar City, district Kurukshetra and all proceedings arising therefrom qua the petitioner.

It is further clarified that in pursuance of the order of this Court dated 28.03.2018 passed in CRM-M No.43371 of 2016 – Rohit Garg Vs. State of Haryana, the petitioner had deposited Rs.5,50,000/- before the Trial Court which amount, as per the settlement between the parties, is to be withdrawn by the petitioner. That being so, on an application moved by the petitioner the Trial Court shall release the same in his favour through a demand draft in his name.

21.03.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No