

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

(Sr. No. 248)

CRM-M No. 12301 of 2021

Date of decision : 27.05.2022

Sumer and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Vimal Kumar Gupta, Advocate for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Sushil Goyal, Advocate for

Mr. Sanyam Khetarpal, 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.169 dated 20.05.2016 registered under Sections 354 and 376 IPC (later on Sections 498-A, 406, 323, 506, 120-B IPC added and Section 376 IPC deleted) at Police Station Bilaspur, district Gurugram, on the basis of a written compromise (Annexure P-4).

On 17.03.2021, 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 veracity of the compromise between the parties.

As directed, report dated 20.04.2021 from the Judicial

Magistrate First Class, Pataudi 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 petitioners.

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 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 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.169 dated 20.05.2016 registered under Sections 354 and 376 IPC (later on Sections 498-A, 406, 323, 506, 120-B IPC added and Section 376 IPC deleted) at Police Station Bilaspur, district Gurugram and all proceedings arising therefrom qua the petitioners.

27.05.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No