

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 255

CRM-M-10277-2021

Date of decision : 30.05.2022

Renu Dhar and another

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Yash Dev Kaushik, Advocate, 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.0116 dated 08.04.2017 registered under Sections 498-A and 406 IPC at Police Station Bhupani, District Faridabad on the basis of a compromise dated 10.02.2021 (Annexure P-2) entered into between the parties.

On 04.03.2021 this Court had directed the parties to appear before the Trial Court/Illaq 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 genuineness of the compromise as also to intimate whether any PO proceedings are pending against any of the party.

As directed, report dated 24.05.2021 from the Judicial Magistrate Ist Class, Faridabad 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; the same is without any threat or pressure from either side and is made out of free volition of the parties and that no PO proceedings are pending against any of the party.

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.0116 dated 08.04.2017 registered under Sections 498-A and 406 IPC at Police Station Bhupani, District Faridabad and all proceedings arising therefrom qua the petitioners.

30.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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