

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 267

CRM-M-10603-2022

Date of decision : 06.04.2022

Harjit Singh and others

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.H.S.Kasan, Advocate, for the petitioners.

Mr.Sumit Jain, Addl.A.G., Haryana.

Mr.Mehul Mankotia, Advocate, for respondents No.2 to 4.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.331 dated 22.06.2017 registered under Sections 323, 406, 498-A and 506 IPC at Police Station Pehowa, District Kurukshetra on the basis of a compromise dated 16.02.2022 (Annexure P-2) entered into between the parties.

On 11.03.2022 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 respect to the veracity of the compromise, if any, between the parties as also to apprise whether all accused are party to the compromise and whether any of the accused have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 30.03.2022 from the Sub Divisional Judicial Magistrate, Pehowa has been received, as per which the parties had recorded their statements before the Court in terms of the compromise arrived at between them, the compromise is genuine and voluntary; all the petitioners are party to the compromise; none of them have been declared proclaimed

offender and that no other criminal case is pending against them.

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 between the parties 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.331 dated 22.06.2017 registered under Sections 323, 406, 498-A and 506 IPC at Police Station Pehowa, District Kurukshetra and all proceedings arising therefrom qua the petitioners.

06.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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