

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 260

CRM-M-10618-2022

Date of decision : 18.04.2022

Manjeet Singh and another

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Gourav Jain, Advocate, for the petitioners.

Ms.Sheenu Sura, DAG, Haryana.

Mr.Jagjit Singh, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.18 dated 16.02.2020 registered under Sections 323, 34, 377, 498-A and 506 IPC (challan filed only under Sections 323, 34, 406, 498-A and 506 IPC) at Police Station Jakhal, District Fatehabad on the basis of a compromise dated 06.07.2021 (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 regard to the veracity of the compromise, if any between the parties as also to apprise this Court whether all the accused are party to the compromise and whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 31.03.2022 from the Sub Divisional Judicial Magistrate, Tohana 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 compromise is voluntary and without any pressure and coercion; both the petitioners are party to the compromise; they have not 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 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 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.18 dated 16.02.2020 registered under Sections 323, 34, 377, 498-A and 506 IPC (challan filed only under Sections 323, 34, 406, 498-A and 506 IPC) at Police Station Jakhal, District Fatehabad and all proceedings arising therefrom qua the petitioners.

18.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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