

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 276

CRM-M-12250-2021

Date of decision : 25.07.2022

Abhishek Thakran

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.M.K.Garg, Advocate, for the petitioner.

Mr.Karan Sharma, DAG, Haryana.

Mr.Ashish Pundir, Advocate, 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.142 dated 18.12.2018 registered under Sections 34, 354-A, 406, 498-A, 506 and 509 IPC at Police Station Women West, Gurugram on the basis of a compromise dated 21.08.2021 (Annexure P-2) entered into between the parties.

On 18.03.2021 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 genuineness and voluntary nature of the compromise; whether all accused/petitioners are appearing before the Trial Court or are on bail and whether other proceeding is pending against them.

As directed, report dated 07.04.2021 from the Chief Judicial Magistrate, Gurugram 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 genuine and voluntary; only the petitioner is arrayed as an accused who has been appearing before the Trial Court and is on bail and that no other case is pending against him.

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 Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.142 dated 18.12.2018 registered under Sections 34, 354-A, 406, 498-A, 506 and 509 IPC at Police Station Women West, Gurugram and all proceedings arising therefrom qua the petitioner.

25.07.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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