

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 239

CRM-M-13017-2021

Date of decision : 21.04.2022

Harwinder Singh and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sushil Bhardwaj, Advocate, for the petitioners.

Ms.Sheenu Sura, DAG, Haryana.

Mr.Vinod 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.57 dated 24.08.2020 registered under Sections 294, 323, 406, 498-A, 506 and 34 IPC at Women Police Station, Karnal on the basis of a written compromise dated 01.03.2021 (Annexure P-2) entered into between the parties.

On 22.03.2021 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 with regard to the genuineness of the compromise; whether any other person(s) has been nominated as accused; whether any person(s) has been declared a proclaimed offender and whether challan has been filed.

As directed, report dated 19.04.2021 from the Judicial Magistrate Ist Class, Karnal has been received, as per which the parties had recorded their statements before the Illaqa Magistrate/Trial Court in terms of the compromise arrived at between them; the same is genuine one; only the petitioners were arrayed as accused and none of them has been declared proclaimed offender(s).

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.57 dated 24.08.2020 registered under Sections 294, 323, 406, 498-A, 506 and 34 IPC at Women Police Station, Karnal and all proceedings arising therefrom, qua the petitioners.

21.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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