

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 278

CRM-M-13555-2022

Date of decision : 23.08.2022

Parmod Kumar and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.G.S.Phull, Advocate, for the petitioners.

Mr.Karan Sharma, DAG, Haryana.

Mr.Kuldip Singh, 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.093 dated 13.03.2016 registered under Sections 498-A, 406, 323 and 506 IPC at Police Station Narnaund, Hisar on the basis of a written compromise dated 24.03.2022 (Annexure P-2) entered into between the parties.

On 31.03.2022 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 compromise between the parties as also to apprise this Court the number of accused arraigned in the FIR and how many have appeared before the Trial Court and have made statements and whether any of them is absconding/P.O.; the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise; the stage of trial/proceedings and that if the compromise is genuine, voluntary and out of free will of the parties.

As directed, report dated 21.04.2022 from the Judicial Magistrate,

1st Class, Hansi 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; only the petitioners are arraigned as accused; they have not been declared proclaimed offender(s); respondent No.2 is the only injured/aggrieved person; the petitioners and the complainant have appeared and made their respective statements with respect to the compromise arrived at between them and that the compromise has been effected voluntarily and without any pressure or coercion.

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.093 dated 13.03.2016 registered under Sections 498-A, 406, 323 and 506 IPC at Police Station Narnaund, Hisar and all proceedings arising therefrom qua the petitioners.

23.08.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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