

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 116

CRM-M-14974-2021

Date of decision : 21.03.2022

Arpit Kumar

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.S.K.Bawa, Advocate, for the petitioner.

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

Mr.M.K.Bhatnagar, 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.653 dated 23.07.2017 registered under Sections 406, 498-A and 34 IPC at Police Station Saran, Faridabad on the basis of a compromise dated 17.02.2021 (Annexure P-2) entered into between the parties.

On 06.04.2021 this Court had directed the parties to appear before the Illaqa Magistrate 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 validity and genuineness of the compromise in question as also to make a report in respect of antecedent behaviour of criminal activity of the accused and also with regard to total number of accused involved in the case and his/their status of being proclaimed offender/person.

As directed, report dated 27.04.2021 from the Civil Judge (Junior Division)-cum-JMIC, Faridabad 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 genuine and has been reached voluntarily and without any pressure; none has been declared as proclaimed

offender/person and that except the present case the petitioner is not involved in any other criminal activity

Learned State counsel has also raised 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.653 dated 23.07.2017 registered under Sections 406, 498-A and 34 IPC at Police Station Saran, Faridabad and all proceedings arising therefrom qua the petitioner.

21.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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