

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 269

CRM-M-16030-2022

Date of decision : 09.05.2022

Vinay Thakur

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Uday Bedi, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

Mr.N.K.Bhambri, Advocate, and
Mr.Kapil Kumar, 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.105 dated 17.08.2018 registered under Sections 323, 406, 498A and 506 IPC at Police Station Women Cell, District Gurugram on the basis of a compromise dated 10.03.2022 (Annexure P-2) entered into between the parties.

On 20.04.2022 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 between the parties as also to apprise this Court whether all the accused are party to the compromise; 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 27.04.2022 from the Judicial Magistrate Ist Class, 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 without any threat or pressure from either side; the accused has not been proclaimed offender and that there is no other criminal case 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 a 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.105 dated 17.08.2018 registered under Sections 323, 406, 498A and 506 IPC at Police Station Women Cell, District Gurugram and all proceedings arising therefrom qua the petitioner.

09.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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