

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 259

CRM-M-17845-2021

Date of decision : 05.05.2022

Kamal Wadhawan and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Rajesh Dhiman, Advocate, for the petitioners.

Mr.Anmol Malik, DAG, Haryana.

Mr.Devender 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.68 dated 10.07.2020 registered under Sections 323, 406, 498-A, 506 and 509 IPC at Police Station Raipur Rani, District Panchkula on the basis of a compromise dated 10.08.2020 (Annexure P-2) entered into between the parties.

On 29.04.2021 this Court had directed the parties to appear before the Area 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 authenticity of the compromise as also to verify whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required.

As directed, report dated 16.07.2021 from the Judicial Magistrate Ist Class, Panchkula 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, voluntary and without any coercion or undue influence and except the petitioners no other person is involved in the present case.

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.68 dated 10.07.2020 registered under Sections 323, 406, 498-A, 506 and 509 IPC at Police Station Raipur Rani, District Panchkula and all proceedings arising therefrom qua the petitioners.

05.05.2022
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[DEEPAK SIBAL]
JUDGE

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