

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 251

CRM-M-17256-2021

Date of decision : 21.03.2022

Rajesh and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sandeep Yadav, Advocate, for the petitioners.
Ms.Sheenu Sura, DAG, Haryana.
Mr.Raman Chahar, 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.35 dated 17.02.2017 registered under Sections 377, 498-A and 506 IPC at Women Police Station, Jhajjar, District Jhajjar on the basis of a compromise dated 06.04.2021 (Annexure P-2) entered into between the parties.

On 29.04.2021 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 along with the recorded statements with regard to the genuineness and veracity of the compromise as also to inform the names and number of the accused involved and whether any of them has been declared proclaimed offender.

As directed, report dated 28.07.2021 from the Judicial Magistrate Ist Class, Jhajjar 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; only the petitioners are arrayed as accused and that none of them has been declared a proclaimed offender.

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 that 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.35 dated 17.02.2017 registered under Sections 377, 498-A and 506 IPC at Women Police Station, Jhajjar, District Jhajjar and all proceedings arising therefrom qua the petitioners.

21.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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