

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-19846-2022 (O&M)

Date of decision: 29.09.2022

RAVI JAIN

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Rajat Mor, Advocate
for the petitioner.

Mr. Karan Sharma, DAG Haryana.

Mr. Rahul Chauhan, 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.153 dated 23.11.2020 registered under Sections 323, 34, 406, 498-A and 506 IPC at Women Police Station, Hisar and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise dated 08.04.2022 (Annexure P-2).

On 10.05.2022, 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 number of persons arrayed as accused in the FIR; whether P.O. proceedings are pending against any of the accused; whether the compromise is genuine, voluntarily and without any coercion or undue influence and whether the accused are involved in any other FIR.

As directed, report dated 04.06.2022 from the Additional Chief Judicial Magistrate, Hisar 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 petitioner is arrayed as the accused; he has not been declared a proclaimed offender; no other criminal case is pending against him and that the compromise between the parties is genuine, voluntary and has been effected with the free will of the parties.

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 out of a matrimonial dispute 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 Supreme Court in *Narinder Singh & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466*, this Court deems it just and proper to allow the petition and resultantly quash FIR No.153 dated 23.11.2020 registered under Sections 323, 34, 406, 498-A and 506 IPC at Women Police Station, Hisar and all proceedings arising therefrom qua the petitioner.

(DEEPAK SIBAL)
JUDGE

September 29, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>