

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

307

CRM-M-20828-2022 (O&M)

Date of decision: 29.09.2022

AMIT AND OTHERS

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Punit Malik, Advocate
for the petitioners.

Mr. Karan Sharma, DAG Haryana.

Mr. Manish Dhankar, 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.0119 dated 16.11.2020 registered under Sections 323, 354-A, 406, 498-A, 506, 509 and 34 IPC at Police Station Women West, Gurugram and all proceedings arising therefrom qua the petitioners, on the basis of first joint statement recorded under Section 13-B of the Hindu Marriage Act, 1955 dated 19.04.2022 (Annexure P-2).

On 16.05.2022, 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 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 06.08.2022 from the Judicial Magistrate First 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; only the petitioners are arrayed as the accused; they have not been declared proclaimed offenders.

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. 119 dated 16.11.2020 registered under Sections 323, 354-A, 406, 498-A, 506, 509 and 34 IPC at Police Station Women West, Gurugram and all proceedings arising therefrom qua the petitioners.

(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>