

**284 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-21554-2022  
Date of Decision: 14.09.2022**

**SURINDER SINGH AND ANOTHER ... PETITIONERS**

**V/S**

**STATE OF HARYANA AND ANOTHER ... RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Baldev Singh Dhillon, Advocate for the petitioners.

Mr. Karan Garg, AAG Haryana.

Mr. Virender Kumar, Advocate for respondent No.2.

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**VIVEK PURI, J. (ORAL)**

Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 51 dated 14.02.2022 registered under Sections 323, 406, 498-A, 506 of the Indian Penal Code at Police Station City Pehowa, District Kurukshetra and all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On 18.05.2022, the parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them. The Trial Court was directed to record the statements of all the concerned and send its report regarding genuineness of the compromise.

In compliance of the order dated 18.05.2022, learned Judicial Magistrate Ist Class, Pehowa has recorded the statements of the parties and

submitted the report, the relevant portion whereof reads as under:-

“1. In the present FIR, there is one accused namely Surender Singh.

2. As per the statement of I.O, accused person has not been declared proclaimed offender at any stage of trial or investigation.

3. It is clear from perusal of the statements of the parties that they have amicably settled the matter after arriving at a compromise and settlement. The compromise seems to be genuine and voluntary and out of free will,

4. As per the statement of I.O, the present accused is not involved in any other case.

5. The statement of Investigating officer has been recorded and as per statement of I.O, there is one complainant namely Saravjeet Kaur. ”

Learned counsel for the petitioners contend that the marriage of petitioner No.1 was solemnized with respondent No.2 on 06.09.2006 and a male child has been born from the wedlock. The matrimonial dispute has been amicably settled between the parties in terms of compromise, Annexure P-2. The petitioner No.1 and respondent No. 2 have resumed cohabitation. The respondent No.2 along with the minor child is happily residing in the matrimonial home along with petitioner No.1.

Learned counsel for respondent No.2 has acknowledged this fact and has stated that he has no objection if the aforementioned FIR is quashed.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise (Annexure P-2). The compromise is without any pressure and is a genuine one. In such a

situation, continuation of the prosecution would result in sheer abuse of process of law.

The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the matrimonial dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the Court should exercise the power to secure the ends of justice.

For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

Accordingly, the present petition is allowed and FIR No.51 dated 14.02.2022 registered under Sections 323, 406, 498-A, 506 of the Indian Penal Code at Police Station City Pehowa, District Kurukshetra and all the consequential proceedings arising therefrom are quashed qua the petitioners only.

14.09.2022

Janki

(VIVEK PURI)  
JUDGE

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