

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 258

CRM-M-24006-2022

Date of decision : 14.10.2022

Nitin Goyal and another

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Anamika Mehra, Advocate, for the petitioners.

Mr.Karan Sharma, DAG, Haryana.

None 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.0066 dated 09.07.2019 registered under Sections 498-A, 406 and 323 IPC at Women Police Station, Kaithal and all proceedings arising therefrom qua the petitioners on the basis a written compromise dated 15.04.2022 (Annexure P-2) entered into between the parties.

On 30.05.2022 this Court had directed the parties to appear before the Illaqa Magistrate/Duty Magistrate 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/correctness of the compromise and that the same is not the result of any fraud or misrepresentation and is the result of free will of the parties. It was also to be verified that besides the petitioners there is no other accused and that the parties are not involved or declared proclaimed offender in any other criminal case.

As directed, report dated 30.09.2022 from the Judicial Magistrate

Ist Class, Kaithal 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, valid and without any misrepresentation and fraud; only the petitioners are arrayed as the accused; the parties have not been declared proclaimed offender(s) and that no other criminal case is pending against them.

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 Supreme Court in Narinder Singh vs. State of Punjab (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.0066 dated 09.07.2019 registered under Sections 498-A, 406 and 323 IPC at Women Police Station, Kaithal and all proceedings arising therefrom qua the petitioners.

14.10.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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