

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

(Sr. No. 231)

CRM-M No. 49106 of 2018

Date of decision : 08.03.2022

Preetam and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Mazlish Khan, Advocate for
Mr. Vikram Lakhlan, Advocate for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

None for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

On the oral request of learned counsel for the petitioner Section 406 IPC is ordered to be added in the head-note and prayer clause of the petition.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 23 dated 14.03.2017 registered under Sections 34, 498A, 506 and 406 IPC at Police Station Behal, district Bhiwani on the basis of a written compromise dated 28.08.2018 (Annexure P-2) between the parties.

On 29.01.2020, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 24.02.2020 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 P.O. proceedings are pending against any of the accused.

As directed, report dated 07.03.2020 from the Sub Divisional Judicial Magistrate, Loharu 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 and that no proclamation proceedings are pending against the petitioners.

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 is arising 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 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. 23 dated 14.03.2017 registered under Sections 34, 498A, 506 and 406 IPC at Police Station Behal, district Bhiwani and all proceedings arising therefrom qua the petitioners.

08.03.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No