

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

THROUGH VIDEO CONFERENCING

CRM-M-37961-2021 (O&M)

Date of decision: 10.3.2022

Sapna @ Ritu Yadav and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Prashant Singh Chauhan, Advocate,
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Vishal Thakur, Advocate, for respondent No.2.

KARAMJIT SINGH, J.

Prayer in this petition is for quashing of FIR No.653 dated 9.12.2018 registered under Sections 120-B, 506 IPC (Sections 507, 177 IPC added later on) at Police Station Model Town, District Rewari on the basis of compromise dated 3.9.2021 (Annexure P-2).

The above stated FIR was registered on the basis of a complaint lodged by complainant/respondent No.2-Saurabh Yadav against both the petitioners in which he alleged that he was practicing as an Advocate in District Courts, Rewari and on 8.12.2018, petitioner No.1-Sapna came to him to handover certain documents and thereafter, she left for Gurugram at about 2:30 p.m. Thereafter, respondent No.2 received information that petitioner No.1 was kidnapped by 4 unknown persons from the area of Bus Stand, Rewari and he reported the matter to the police. Thereafter, someone

petitioner No.1. Later on, he came to know that aforesaid story of kidnapping was coined by petitioner No.1 in connivance with petitioner No.2-Devender Kumar and then respondent No.2 gave its information to the police and consequently, FIR was registered in the present case against the petitioners.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Judicial Magistrate, 1st Class, Rewari along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioners and for respondent No.2 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and

thus, amount to abuse of process of law.

For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.653 dated 9.12.2018 registered under Sections 120-B, 506 IPC (Sections 507, 177 IPC added later on) at Police Station Model Town, District Rewari and all the subsequent proceedings are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

March 10, 2022

Paritosh Kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No