

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

289

CRM-M-40796-2021(O&M)
Date of decision: 29.09.2022

SACHIN AND ANOTHER

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ravinder Kumar Rana, Advocate
for the petitioners.

Mr. Karan Sharma, DAG Haryana.

Mr. Anil Kumar Rana, 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.216 dated 27.04.2018 registered under Sections 323, 498-A and 506 IPC (Section 406 IPC deleted later on) at Police Station City Bahadurgarh, District Jhajjar and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-2).

On 29.09.2021, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 28.10.2021 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 the Court name of the complainant and accused arrayed in the FIR; whether all of them appeared and made their respective statements in support of the compromise; whether any accused is proclaimed offender; the stage of trial/proceedings and whether the compromise so arrived at between the parties is genuine, voluntarily and out of

free will.

As directed, report dated 03.11.2021 from the Judicial Magistrate First Class, Bahadurgarh 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; respondent No.2 is the complainant; only the petitioners are arrayed as accused; the complainant and accused have appeared before the Trial Court and made their respective statements with regard to the alleged compromise; the accused has not been declared a proclaimed offender; the case is fixed for prosecution's evidence and that the compromise is genuine, voluntarily and without any coercion or undue influence.

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.216 dated 27.04.2018 registered under Sections 323, 498-A and 506 IPC (Section 406 IPC deleted later on) at Police Station City Bahadurgarh, District Jhajjar 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>