

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 239

CRM-M-37351-2020

Date of decision : 22.03.2022

Gurvinder Singh and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms.Sheenu Sura, DAG, Haryana.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.66 dated 13.06.2016 registered under Sections 323/34/354-B/406/498-A/506 IPC at Women Police Station, Karnal on the basis of a compromise entered into between the parties.

On 12.11.2020 this Court had directed the parties to appear before the Illaqa 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 validity and genuineness of the compromise as also whether the compromise is found to be a valid compromise and has been effect without there being any kind of influence or coercion.

As directed, report dated 18.03.2021 from the Judicial Magistrate Ist Class, Karnal 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 compromise is genuine and that no accused is proclaimed offender/absconding.

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 from a matrimonial dispute between the parties; the trial is at the early stage 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.66 dated 13.06.2016 registered under Sections 323/34/354-B/406/498-A/506 IPC at Women Police Station, Karnal and all proceedings arising therefrom qua the petitioners.

22.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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