

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 253

CRM-M-40762-2020

Date of decision : 30.05.2022

Jagdish Prasad and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Sidhi Bansal, Advocate, for the petitioners

Ms.Sheenu Sura, DAG, Haryana.

Mr.P.S.Dhaliwal, 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.51 dated 16.10.2018 registered under Sections 323, 34, 342, 506, 406 and 498-A IPC at Women Police Station, District Sirsa on the basis of a compromise entered into between the parties.

On 07.12.2020 this Court had directed the parties to appear before the Trial Court/Illaq 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 of the compromise as also to report whether there is any other accused other than the petitioners; whether there is any other complainant or affected/aggrieved party other than the respondents and whether any accused has been declared proclaimed offender.

As directed, report dated 28.01.2021 from the Judicial Magistrate Ist Class, Sirsa 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 and voluntary; except the petitioners no other person

is arrayed as accused; the complainant is the only affected/aggrieved party and that the accused have not been declared proclaimed offenders.

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 a 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.51 dated 16.10.2018 registered under Sections 323, 34, 342, 506, 406 and 498-A IPC at Women Police Station, District Sirsa and all proceedings arising therefrom qua the petitioners.

30.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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