

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

**CRM-M-47391-2021 (O&M)**

**Date of Decision: 06.09.2022**

**SAURABH SINGH AND OTHERS ... PETITIONERS  
V/S  
STATE OF HARYANA AND ANOTHER ... RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. BK Bagri, Advocate for the petitioners.  
Mr. Karan Garg, AAG Haryana.  
Mr. Vishal Yadav, Advocate for respondent No.2.  
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**VIVEK PURI, J. (ORAL)**

Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 329 dated 13.10.2019 registered under Sections 34, 406, 498-A and 506 of the Indian Penal Code at Police Station Khol, District Rewari and all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-3).

On 28.02.2022, the parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them. The Trial Court was directed to record the statements of all the concerned and send its report regarding genuineness of the compromise.

In compliance of the order dated 28.02.2022, learned Judicial Magistrate 1<sup>st</sup> Class, Rewari has recorded the statements of the parties and submitted the report, the relevant portion whereof reads as under:-

“I have the honor to submit that in compliance of order dated 28.02.2022, passed in CRM-M-5753-2022 and CRM-M-47391-2021 titled "Saurabh Singh and another Vs. State of Haryana and another,

the complainant Manish Devi as well as accused namely Saurabh, Satpal and Chander Kalan, appeared before the undersigned on 30.03.2022. Statement of the complainant recorded to the effect that the matter has been compromised with her husband Saurabh and she does not want to pursue the present case and she has signed compromise Ex.C1 after understanding the contents of the same and she has no objection if accused persons be discharged in the present case. Complainant has also produced compromise Ex.C1 in this regard. She (complainant) gave her statement without any pressure and undue influence etc.

Copy of the statement of the parties and compromise Ex.C1 are attached herewith for your kind perusal. It is further submitted that as per statement of ASI Lal Chand (IO), in the present case there are only three accused namely Saurabh, Satpal and Chander Kalan. None of the accused has been declared proclaimed offender/person and no other FIR is pending against them in State of Haryana and there is only one complainant namely Manish daughter of Ravinder Prashad in the present case.

It is submitted that compromise is genuine, voluntarily and has been executed without any coercion etc. ”

Learned counsel for the petitioners contend that the marriage of petitioner No.1 was solemnized with respondent No.2 on 10.12.2016 and a daughter has been born from the wedlock. The matrimonial dispute has been amicably settled between the parties. The marriage of petitioner No.1 and respondent No.2 has been dissolved by a decree of divorce by mutual consent in terms of the judgment and decree dated 30.04.2022 passed by the learned Family Court, Rewari. A sum of Rs. 5 Lakhs has been paid on account of permanent alimony to respondent No.2. The custody of the minor daughter shall remain with the petitioner. No other case is pending between the parties.

Learned counsel for respondent No.2 has acknowledged this

fact and has stated that he has no objection if the aforementioned FIR is

quashed.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise (Annexure P-3). The compromise is without any pressure and is a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the matrimonial dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the Court should exercise the power to secure the ends of justice.

For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

Accordingly, the present petition is allowed and FIR No. 329 dated 13.10.2019 registered under Sections 34, 406, 498-A and 506 of the Indian Penal Code at Police Station Khol, District Rewari and all the consequential proceedings arising therefrom are quashed qua the petitioners only.

**06.09.2022**

Janki

**(VIVEK PURI)**  
**JUDGE**

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