

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 276

CRM-M-931-2022

Date of decision : 09.05.2022

Raj Kumar and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Harkaran Singh, Advocate, for the petitioners.

Ms.Sheenu Sura, DAG, Haryana.

Ms.Amarjot Kaur, Advocate, for
Mr.S.P.Singh, 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.146 dated 10.11.2021 registered under Sections 498A, 323, 406, 506 and 34 IPC at Police Station Women, Bahadurgarh, District Jhajjar on the basis of a compromise dated 09.12.2021 (Annexure P-2) entered into between the parties.

On 01.02.2022 this Court had directed the parties to appear before the Trial Court/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 number of persons arrayed as accused in the FIR, whether any accused is proclaimed offender; whether the compromise is genuine, voluntary and without any coercion or undue influence; whether the accused are involved in any other case or not and the number of victims/complainants.

As directed, report dated 10.02.2022 from the Judicial Magistrate, Ist 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; only the petitioners are arrayed as accused; none of them has been declared a proclaimed offender; no other case is pending against them; the compromise is genuine, voluntarily and without any coercion or undue influence and that respondent No.2 is the only victim/complainant.

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.146 dated 10.11.2021 registered under Sections 498A, 323, 406, 506 and 34 IPC at Police Station Women, Bahadurgarh, District Jhajjar and all proceedings arising therefrom qua the petitioners.

09.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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