

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

122+287

CRM-M-49924-2019(O&M)

Date of decision : 18.04.2023

Raj Jagdish Prashad and Ors.

..... Petitioners

V/S

State of Haryana and Another

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr.B.P.S.Virk, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Abhishek Sharma, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

CRM-16642-2023

This is an application u/s 482 Cr.P.C. for seeking correction of spellings in the name of respondent No.2 i.e. "Ameet" instead of Amit and "daughter of" instead of son of and placing the correct memo of parties on record.

For the reasons stated in the application, the same is allowed. The amended memo of parties is taken on record.

The application stands disposed of.

CRM-M-49924-2019

The petitioners- Raj Jagdish Prashad, Jaspal Singh and Manjeet Singh have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR

No.110 dated 22.10.2018, under Sections 120-B, 323, 34, 341, 354-D, 506 of IPC, registered at Woman Police Station Ambala, District Ambala and all other subsequent proceedings on the basis of compromise.

As per the facts of the case, the complainant – Ameet Guliani daughter of Jasbir Singh gave her statement to the police that she was working in Sector 34-A in Frank fill office. For the last 7-8 days she noticed that some unknown persons used to follow her. On 22.10.2018 at about 8:30 AM when she came out she again felt that someone came after her and the security guard of her office disclosed that some persons were enquiring about her. The security guard had taken the photographs of the said persons. After the office hours in the evening at about 6:30 PM, when she was coming back and reached INNKO chowk Ambala City they blocked her way and tried to click her photograph. They threatened her and tried to kill her. On the alarm raised by her people gathered there. With these allegations, the present FIR has been registered.

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Judicial Magistrate 1st Class, Ambala dated 29.07.2020. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioners. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioners- Raj Jagdish Prashad, Jaspal Singh and Manjeet Singh have also confirmed this fact in their separate statement. The statement of ASI

Naresh Kumari is also recorded who further confirmed that the accused are neither involved in any other case nor have been declared as proclaimed offenders.

The learned counsel for the parties stated that the matter has been compromised. In fact there was dispute of Ameet Guliani with her husband and the petitioners were hired by her husband to know about her routine and act and conduct. Later on Ameet Guliani effected compromise with her husband Hemant Kumar and they took divorce with mutual consent by filing petition under Section 13-B of Hindu Marriage Act vide decree of divorce dated 06.11.2019. In pursuance of this compromise the present case was also compromised between the petitioners and respondent No.2.

Therefore, from the report of Judicial Magistrate 1st Class, Ambala, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. They have mutually settled all their disputes. It will end all litigation started between them. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and FIR No.110 dated 22.10.2018, under Sections 120-B, 323, 34, 341, 354-D, 506 of IPC, registered at Woman Police Station Ambala, District Ambala and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

18.04.2023.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No