

Sr. No.278(01)

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

CRM-M-28804-2023
Date of decision: 26th February, 2024

SANKET SEHGAL AND OTHERS **.....Petitioners**

versus

STATE OF HARYANA AND ANOTHER **.....Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. R.S. Dadwal, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Wazir Singh, Advocate
for respondent No.2/complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.916 dated 26.12.2020, under Sections 323, 376, 406, 498-A, 506, 511 IPC, 1860, registered at Police Station Panipat City, District Panipat (Annexure P-1), on the basis of compromise dated 05.05.2023 (Annexure P-5) arrived at between the parties.
2. Learned counsel for the petitioners contends that the FIR was registered due to a matrimonial dispute between petitioner No.1-husband and respondent No.2-wife. Petitioner No.2 is the mother-in-law and petitioner No.3 is the sister-in-law of respondent No.2. The matter has been mutually settled between the parties. Learned counsel for the petitioners has submitted a copy of decree of divorce dated 12.12.2023, passed by the Family Court, Panipat, which is taken on record.

3. Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties and submits that he has no objection if the present FIR against the present petitioner is quashed.

4. On 13.09.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

5. The report dated 15.12.2023 of the Chief Judicial Magistrate, Panipat, through the District & Sessions Judge, Panipat, has been received, wherein, following observations have been made:-

1. *On 12.12.2023, accused persons namely Sangeeta Sehgal, Aahana Sehgal (through VC) and Sanket Sehgal along with complainant namely Aakriti Sadana appeared before the Court. Aahana Sehgal appeared through VC. She was identified by her counsel as well as complainant.*

2. *The parties have entered into a compromise voluntarily without any external pressure. They were given time to ensure voluntary nature of compromise.*

3. *In view of the statements of the parties, the compromise so effected is for amicable settlement of dispute and was effected without any external pressure, coercion or force and is valid compromise.*

4. *As per the statement of IO dated 13.12.2023, challan has been filed. There are only three accused persons namely Sangeeta Sehgal, Aahana Sehgal and Sanket Sehgal in this case and they have never been declared proclaimed person. No other criminal case has been lodged against accused person.*

5. *Only one person namely Aakriti Sadana is victim in the present case and she herself is the complainant in this FIR.”*

6. Learned State counsel has confirmed that initially the FIR was registered against 04 persons, however, during investigation, it was found that the accused namely Rinku does not exist.

6.1 Learned State counsel has not raised any objection regarding the acceptance of the present petition.

7. Hon'ble the Full Bench of this Court in Kulwinder Singh and others vs. State of Punjab and others; 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

8. Since the matrimonial dispute between petitioner No.1 and respondent No.2 has been resolved and their marriage has been dissolved by a decree of divorce dated 12.12.2023, passed by the Family Court, Panipat, as such, further proceedings on the basis of the present FIR is not in the interest of parties. This Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

9. Consequently, this petition is allowed and FIR No.916 dated 26.12.2020, under Sections 323, 376, 406, 498-A, 506, 511 IPC, 1860, registered at Police Station Panipat City, District Panipat (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

10. All the pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

26th February, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No