



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

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CRM-M-30680-2024

Date of decision : 12.08.2024

Raj Tanwar and Ors.**..... Petitioners****V/S****State of Haryana and Anr.****..... Respondents****CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Dr. Deepak Jindal, Advocate for petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Yashdeep Shah, Advocate
for respondent No.2.

AMARJOT BHATTI J.

1. Petitioners – Raj Tanwar, Monica, Seema Siwach, Rahul Chauhan and Suraj Singh Tanwar @ Rohit Tanwar have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.331 dated 17.11.2023, under Sections 323, 201, 34, 342, 500, 506, 509 of IPC, registered at Police Station Sector 17/18, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 11.06.2024 (Annexure P-2).

2. Facts of the case are complainant Sanjay Chauhan gave her statement to the police that she knew Surender Tanwar for the last about 05 years who was on visiting terms to her house. His wife Raj Tanwar used to doubt her unnecessarily. On 16.11.2023 at about 8:00 PM, she had gone to Sector 17-A market to buy household articles. In the market, wife of Surender Tanwar namely Raj Tanwar and his son Rohit Tanwar met her and they told her that Surender Tanwar was not feeling well and he had called her in the house. She sat in their car and on the way they started



abusing her and misbehaved with her. She was beaten up by Raj Tanwar, Rohit and Monica by giving slaps and fist blows. Rohit called her daughter on video call that her mother was in their custody. Her daughter also reached Sector 31. In the presence of her daughter, her face was blackened and was threatened to kill her. She was brought in front of her house and was again given beating. Many people gathered there. With these allegations, present FIR was registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Gurugram dated 31.07.2024. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and she has no objection regarding quashing of FIR.

4. Petitioners – Raj Tanwar, Monica, Seema Siwach, Rahul Chauhan and Suraj Singh Tanwar @ Rohit Tanwar have also confirmed this fact in their separate statements. Statement of ASI Madhu was also recorded. She confirmed that the accused are not involved or declared as proclaimed offenders in any other criminal case except Rohit alias Suraj who has a case pending against him in FIR No.280 dated 11.07.2022, registered at Police Station Sector 29, Gurugram, under Sections 279, 336, 337, 427, 506 of IPC and Section 196 & 185 of MV Act in which he has already joined investigation and challan has been presented in trial Court on 16.09.2022.



5. Therefore, from the report of Judicial Magistrate Ist Class, Gurugram, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Gainful reference can be made to the authority of our own High Court i.e. **Larger Bench of Five Judges 2007(3) RCR (Criminal) 1052** case titled ***“Kulwinder Singh and others vs. State of Punjab and another”*** where it was explained that inherent power of this Court under Section 482 cannot be limited to matrimonial cases alone and the Court has wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 of Criminal Procedure Code in order to prevent abuse of law and to secure ends of justice.

6. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. After compromise they will be able to live peacefully. It will end litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore considering these facts, petition filed by petitioners is accepted and FIR No.331 dated 17.11.2023, under Sections 323, 201, 34, 342, 500, 506, 509 of IPC, registered at Police Station Sector 17/18, District Gurugram and all other subsequent proceedings arising therefrom are quashed.

8. Accordingly, present petition stands accepted.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

12.08.2024.

Sunil Devi

Sunil Devi
2024.08.14 10:18
I attest to the accuracy and
integrity of this document

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No