
(2013) 08 P&H CK 0466

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-22769 of 2013

Jawahar Lal Chug

APPELLANT

Vs

The State of Haryana

RESPONDENT

Date of Decision : 08-08-2013

Acts Referred:

Penal Code, 1860 (IPC) — Section 294, 506, 509

Citation : (2013) 08 P&H CK 0466

Hon'ble Judges : Naresh Kumar Sanghi, J

Bench : Single Bench

Advocate : Sat Narain Yadav, for the Appellant; Anupam Sharma, AAG, Haryana and Mr. G.S. Khurana, for the Respondent

Final Decision : Allowed

Judgement

Naresh Kumar Sanghi, J.—This is a petition for quashing of FIR No. 470 dated 15.11.2012, under Sections 294, 506 and 509, IPC, registered at Police Station, Model Town, Rewari, and all the subsequent proceedings arising therefrom, on the basis of compromise. Vide order dated 06.08.2013, this Court had directed respondent No. 2/complainant and the petitioner to appear before the Director, Mediation and Conciliation Centre of this Court for making their respective statements with regard to the compromise. Another petition bearing No. Criminal Misc. No. M-22756 of 2013 titled as "Ram Parshad Makhija & Others vs. The State of Haryana & Anr." was also referred to the Director, Mediation and Conciliation Centre for recording the statements of the affected parties with regard to the compromise. The complainant being one and the same person in both the petitions, therefore, the statement of respondent No. 2/complainant, Ritika Khurana, was recorded in Criminal Misc. No. M-22756 of 2013. The copies of the statements and the report have been received from the Director, Mediation and Conciliation Centre of this Court and the same are placed on the file of Criminal Misc. No. M-22756 of 2013 which is also fixed for today before this Court and both the petitions have been taken up simultaneously.

2. In her statement, Ritika Khurana, has admitted the factum of compromise. She has been paid Rs. 6,00,000/- by way of a demand draft by the petitioner's side.

3. Learned counsel for the State as well as learned counsel for the complainant have admitted the factum of compromise. They have no objection if the impugned FIR and all the consequential proceedings arising therefrom are quashed.

4. Heard.

5. The present criminal litigation has arisen out of matrimonial dispute. The affected parties have sorted out their disputes and effected a compromise. The statement of respondent No. 2/complainant has already been recorded by the Director, Mediation and Conciliation Centre of this Court. The copy of the said statement is available on the file bearing Criminal Misc. No. M-22756 of 2013, which has been taken up simultaneously with the present case. Taking into consideration the above facts, the chances of ultimate conviction of the petitioner are bleak, therefore, pendency of the FIR and continuation of the trial would be a sheer abuse of the process of law. Keeping in view the totality of the nature of the allegations and the fact that respondent No. 2/complainant has sorted out her matrimonial disputes with the petitioner as well as the petitioners in the connected petition, the present petition is allowed. Resultantly, FIR No. 470 dated 15.11.2012, under Sections 294, 506 and 509, IPC, registered at Police Station, Model Town, Rewari, and all the consequential proceedings arising therefrom are hereby quashed.