

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

**CRM-M-46101-2017**

**Date of decision: 08.08.2018**

Neetu Khanna

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Ravinder Phogat, Advocate,  
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

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**JAISHREE THAKUR, J. (ORAL)**

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.37 dated 08.04.2016, under Sections 498-A, 406, 506, 34 of the Indian Penal Code, registered at Police Station Women, Rewari, District Rewari (Annexure P-1) and all subsequent proceedings arising therefrom in view of the settlement / agreement (Annexure P-2) entered into between the parties.

Learned counsel appearing on behalf of the petitioner contends that a marriage was solemnized between Rohit Khanna and respondent No.2 Gunjan Khanna daughter of Sh. Naresh Girotra on 23.07.2015 at Kaka Vatika Rewari according to Hindu rites and ceremonies. Rohit Khanna is in fact the younger brother of Gaurav Khanna, husband of the petitioner herein. A matrimonial dispute arose between the parties which led to the

registration of FIR No.37 dated 08.04.2016, under Sections 498-A, 406, 506, 34 of the Indian Penal Code, at Police Station Women, Rewari, District Rewari (Annexure P-1) against the petitioner and the other family members. The petitioner herein was allowed anticipatory bail by the lower Court, however, her husband, Gaurav Khanna were denied the bail and he along with his brother Rohit Khanna and his father approached the High Court by way of filing CRM-M-29229-2017. The matter was sent to the Mediation and Conciliation Centre of this Court and ultimately a settlement/ agreement was arrived at in the proceedings on 29.07.2016 and in CRM-M-17978-2016 it was agreed that the parties would end the dispute amicably by parting their ways. A sum of ₹ 2 lakh would be paid as full and final settlement towards permanent alimony and also covering her past, present and future maintenance. Apart from other terms and conditions as specified, a petition under Section 13-B of the Hindu Marriage Act would also be filed while agreeing that a quashing petition would be filed in the High Court after a decree of divorce has been granted and that the complainant would cooperate and give the required documents for quashing of the above mentioned FIR.

Pursuant to the settlement / agreement, a decree of divorce has already been obtained and Rohit Khanna, Gaurav Khana and Sushil Kumar Khanna thereafter filed CRM-M-29229-2017 seeking quashing of the FIR on the basis of the compromise arrived at between the parties, which petition was allowed by order dated 10.10.2017.

Learned counsel for the petitioner contends that inadvertently

the name of Neetu Khanna, the petitioner herein, was not mentioned in the array of parties while filing CRM-M-29229-2017 and prays for quashing of the said FIR still pending against her since the matter has been settled amicably. It is contended that it is only on account of inadvertent mistake that her name was not mentioned.

Notice of the petition was issued and appearance has been caused on behalf of the complainant through Mr. Aditya Sanghi, Advocate, who admits the fact that a compromise has been arrived at before the Mediation and Conciliation Centre of this Court.

Ms. Gaganpreet Kaur, learned AAG, Haryana appearing on behalf of the respondent-State also does not dispute the factum of compromise or the fact that FIR qua Rohit Khanna, Gaurav Khanna and Sushil Kumar Khanna has been quashed by the aforesaid orders passed in CRM-M-29229-2017.

I have heard learned counsel for the parties and have called for the record in CRM-M-17978-2016 and CRM-M-29229-2017 for perusal. From the compromise that has been arrived at between the parties, it is clear that a quashing petition for quashing of FIR against Rohit Khanna and his family members was to be filed in the High Court after a decree of divorce has been granted and that the complainant would cooperate and give the required documents for quashing of the above mentioned FIR.

In such a situation when all the proceedings against other co-accused have already been quashed, this Court has no hesitation in extending the same order to the instant petition. Thus, this petition is

allowed and FIR No.37 dated 08.04.2016, under Sections 498-A, 406, 506, 34 of the Indian Penal Code, registered at Police Station Women, Rewari, District Rewari (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioner as well.

The petition stands disposed of.

08.08.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)  
JUDGE

Yes.

No.