

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

105)

CRM-M-3264 of 2020 (O&M)
Date of Decision: 10.12.2020

Amit Ranga and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Jagdeep Rana, Advocate, for the petitioners.
Mr. B.S. Virk, DAG, Haryana.
Mr. Ravi Partap Singh, Advocate,
for respondent no.2.

AMOL RATTAN SINGH, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

On 04.12.2020, the following order had been passed:-

“All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

This petition has been filed seeking quashing of FIR no.0132 dated 03.04.2019 (as also all other subsequent proceedings arising therefrom), registered at Police Station Hisar civil Lines, District Hisar, for the alleged commission of offences punishable under Sections 323/506 of the IPC, on the basis of a compromise arrived at between the petitioners and respondent no.2. A copy of the compromise deed has been annexed as Annexure P-3 with the petition.

Learned counsel for the petitioner submits that though there is no order of the court directing the petitioners and the complainant (respondent no.2) to record their statements in respect of the compromise reached between the parties, however, respondent no.2 being the former wife of petitioner no.1, with a decree of divorce granted to them upon filing of a petition under the provisions of Section 13-B of the Hindu Marriage Act, 1955, the statements of both the parties, on the first motion and the second

motion, had been recorded on December 01, 2019 and 28.07.2020 respectively before the learned Family Court, Hisar.

Mr. Ravi Partap Singh, Advocate, appears for respondent no.2 and also does not oppose the FIR being quashed.

However, his *Vakalatnama* is not on record.

Adjourned to 10.12.2020.

To be shown in the urgent motion list.”

Today, Mr. Ravi Partap Singh, Advocate, has again appeared for the complainant in the FIR, i.e the former wife of petitioner no.1, Amit Ranga, and has submitted that he has filed his *Vakalatnama* on behalf of the said respondent. He has reiterated that the matter has been compromised between the petitioners and respondent no.2, with their statements in a petition filed under the provisions of Section 13-B of the Hindu Marriage Act, 1955, having been recorded, with him further submitting that in the said statements it was agreed that all litigation pending between the parties, including the criminal proceedings, would be withdrawn/sought to be quashed.

Learned counsel for the petitioners, i.e. the accused in the FIR, obviously does not deny the said fact.

That being so, even though statements in respect of the withdrawing of the FIR itself have not been ordered to be recorded before a Magistrate, however, with the learned counsel for respondent no.2 having filed his *Vakalatnama* and having reiterated to the above effect and with the complainant therefore not aggrieved of the matter, with her and petitioner no.1 in any case having been issued a decree of divorce by a competent court as per both learned counsel, the present petition is allowed and FIR no.0132

dated 03.04.2019 (as also all other subsequent proceedings arising therefrom), registered at Police Station Civil Lines, Hisar, for the alleged commission of offences punishable under Sections 323/506 of the IPC, is hereby quashed.

10.12.2020
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes

Whether reportable: No