

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

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CRM-M-2615-2021

Date of decision : 25.02.2021.

Sachin Tyagi

... Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Gaurav Tyagi, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

Mr. A.P. Setia, Advocate for respondent No.2.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking quashing of FIR No.213 dated 03.04.2018, under Sections 313, 323, 34, 354, 377, 452, 498-A and 511 IPC registered at Police Station Gharaunda, District Karnal on the basis of judgment and decree under Section 13-B of the Hindu Marriage Act, 1955, dated 12.11.2020 (Annexure P-2) on the basis of mutual consent between the petitioner and respondent No.2.

Learned counsel for the petitioner contends that the FIR is the outcome of a matrimonial dispute between the petitioner and respondent No.2 which has been settled. The parties have obtained divorce on the basis of mutual consent. He has referred to the copy of the judgment and decree under Section 13-B of the Hindu Marriage Act, dated 12.11.2020 at Annexure P-2.

Learned counsel for respondent No.2 states that the matter has indeed been compromised.

This Court vide order dated 19.01.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Judicial Magistrate Ist Class, Karnal dated 04.02.2021 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is the outcome of a matrimonial dispute between the petitioner and respondent No.2 which has now been resolved and the matter has been compromised.

In view of the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.213 dated 03.04.2018, under Sections 313, 323, 34, 354, 377, 452, 498-A and 511 IPC registered at Police Station Gharaunda, District Karnal and all consequential proceedings are hereby quashed qua the petitioner.

(ANUPINDER SINGH GREWAL)
JUDGE

February 25, 2021
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No