

**145+231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-9790-2021 in/and
CRM-M-40207-2019 (O&M)
Date of Decision: 26.03.2021**

Harinder Chaudhary

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vipin Sharma, Advocate, for
Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. Vikas Bhardwaj, A.A.G., Haryana.

Mr. Dinesh Maurya, Advocate,
for respondent no. 2.

AMOL RATTAN SINGH, J. (ORAL)

CRM-9790-2021

Vide this application, a copy of the judgment and decree of divorce granted to the petitioner and respondent no. 2, on 02.03.2020, is sought to be placed on record as Annexure P-3 with the accompanying petition.

Notice in the application.

On the asking of the court, Mr. Vikas Bhardwaj, A.A.G., Haryana, accepts notice on behalf of respondent no. 1, with Mr. Dinesh Maurya, Advocate, appearing and accepting notice on behalf of respondent no. 2.

The accompanying petition being one seeking quashing of the FIR in question on the basis of a compromise reached between the parties, the application is allowed, with the aforesaid copy of the judgment and

decree of divorce ordered to be taken on record as Annexure P-3 with the accompanying petition.

CRM-M-40207-2019

By this petition, the petitioner seeks quashing, on the basis of a compromise arrived at between him and respondent no. 2, of FIR no. 30, dated 26.03.2019, registered at Women Police Station, District Karnal, for the alleged commission of offences punishable under the provisions of Sections 323/342/406/498-A/506 of the IPC, as also all other subsequent proceedings arising therefrom. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

Pursuant to the orders of this court dated 20.09.2019 and 29.11.2019, a report of the learned Judicial Magistrate Ist Class, Karnal, dated 18.02.2020, has been received, stating therein that the petitioner and respondent no. 2 in the petition appeared before that court and recorded their separate statements to the effect that a compromise has been entered into, of the free will of the parties, without any pressure or coercion, with the opinion of that court also being to that effect.

It has further been stated that only one person, i.e. the petitioner Harinder Chaudhary, was named as an accused in the FIR and that he was never declared to be a proclaimed offender at any stage.

Though no power of attorney issued in favour of counsel for respondent no. 2 is on record, he undertakes to place the same on record within one week.

Be that as it may, in view of the report of learned JMJC, as also the fact that the petitioner and respondent no. 2 have also obtained a decree of divorce by mutual consent, the petition is allowed and FIR no. 30, dated

26.03.2019, registered at Women Police Station, District Karnal, for the alleged commission of offences punishable under the provisions of Sections 323/342/406/498-A/506 of the IPC, as also all other subsequent proceedings arising therefrom, is hereby quashed.

March 26, 2021	(AMOL RATTAN SINGH)
nitin	JUDGE
Whether speaking/reasoned	Yes
Whether Reportable	No.