

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

258

CRM-M-48727-2019  
Date of decision:18.05.2022

Sudhir and others

... Petitioners

Vs.

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Munish Bhardwaj, Advocate for the petitioners.

Ms. Ankita Ahuja, AAG, Haryana  
for respondents No.1 to 3.

Mr. Harvinder Thakur, Advocate for  
Mr. Nitin Arora, Advocate for respondent No.4.

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**SUVIR SEHGAL J. (ORAL)**

Instant petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.111 dated 01.07.2019 under Sections 323, 354, 377, 406, 498-A and 506 of IPC, 1860, registered at Women Police Station, Yamuna Nagar, Annexure P-1, along with all consequential proceedings arising therefrom, on the basis of compromise dated 06.11.2019, Annexure P-2.

Counsel for the petitioners submits that petitioner No.1 is the husband of complainant/respondent No.4 and petitioners No.2 to 6 are his relatives. He submits that marriage of petitioner No.1 was solemnized with complainant/respondent No.4 on 22.02.2011 and a son was born out

of the wedlock, but due to minor differences, FIR, Annexure P-1, was lodged by the complainant/respondent No.4 and the matrimonial dispute has been settled by virtue of compromise, Annexure P-2. He submits that the parties are now residing together under one roof and they have appeared before the Trial Court and recorded their statements in support of the compromise.

Upon instructions from HC Anita, State counsel submits that there are six accused, all of whom are petitioners in the instant petition and matter is under investigation.

Counsel for the complainant/respondent No.4 admits the factum of compromise and does not dispute the statement made by counsel for the petitioners.

Heard counsel for the parties.

Vide order dated 16.11.2019, this Court directed the parties to appear before the Area Magistrate/Trial Court and get their statements recorded regarding the compromise and a report was called for from the Court concerned regarding the genuineness of the compromise as also the stage of proceedings and as to whether any of the parties has been declared as a P.O. Report has been received and its relevant extract is reproduced as under:-

*“In my view the compromise is genuine, without any pressure or undue influence. Both the parties have been identified by their respective counsels. Further, as per statement of I.O, ASI Poonam, it is submitted that accused Sudhir, Shri Pal Singh, Sunita Devi, Ashok Kumar, Sharvan Pundir and Rakhi are facing trial in this case and none of the accused have been declared as Proclaimed Offender and challan has not been presented.”*

It is evident that FIR, Annexure P-1, is a fallout of a marital discord over a trivial issue, which has been settled and the parties are living together. In this backdrop as well as the report of the Trial Court and the judgments of the Supreme Court in *B.S. Joshi and others Versus State of Haryana and another (2003) 2 RCR (Criminal) 888* and *Narinder Singh Versus State of Punjab (2014) 6 SCC 466*, this Court has no hesitation in quashing the criminal proceedings.

Accordingly, petition is allowed. FIR No.111 dated 01.07.2019 under Sections 323, 354, 377, 406, 498-A and 506 of IPC, 1860, registered at Women Police Station, Yamuna Nagar, Annexure P-1, and all the consequent proceedings arising therefrom, are quashed qua the petitioners.

18.05.2022  
sheetal

(SUVIR SEHGAL)  
JUDGE

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |