

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

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**CRM-M-50046-2019
Decided on : 04.03.2022**

Sanjeev Kumar and another

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Gaurav Sethi, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. B.S. Jaswal, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 133, dated 16.09.2017, under Sections 323, 406, 498-A, 506, 34 of IPC, registered at women Police Station Ambala, District Ambala (annexed as Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise-deed dated 14.11.2019 (annexed as Annexure P-2), arrived at between the parties..

Learned counsel for the petitioners submits that the FIR in question has arisen out of a matrimonial dispute between the parties. However, subsequently, with the intervention of the respectables, Panchayat and family friends, the parties had amicably resolved their disputes vide compromise-deed dated 14.11.2019 (Annexure P-2). Accordingly, the parties had obtained the divorce by way of mutual consent in a joint petition u/s 13-B of the Hindu Marriage Act, 1955.

Vide order dated 22nd December, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on

28th January, 2022, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Ambala, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed. The trial Court has annexed the photocopies of the statements of the parties along with its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned learned JMIC, Ambala, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and in *Narinder Singh and others Vs. State of Punjab and another, 2014(2) R.C.R. (Criminal) 482*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

March 04, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*