

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

**CRM-M-19025-2023**

**Date of decision: 21.11.2023**

**LALIT**

**...PETITIONER**

**VERSUS**

**STATE OF HARYANA AND ANR.**

**...RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Naveen Kumar, Advocate for  
Mr. Lalit Pardhan, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

Mr. Lajpat Rai Sharma, Advocate for respondent No.2.

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**VIVEK PURI,J. (ORAL)**

1. Petitioner has approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.44 dated 22.10.2019 under Sections 323/34/406/498-A/506 IPC, registered at Police Station Jhojhu Kalan, District Charkhi Dadri and all the consequential proceedings arising therefrom, on the basis of compromise.

2. On 20.04.2023, parties were directed to appear before the Illaqa/Duty Magistrate to get their statements recorded with regard to the compromise arrived at between them.

3. The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the compromise.

4. In compliance of the order dated 20.04.2023, learned Additional Chief Judicial Magistrate, Charkhi Dadri has recorded the statements of the parties and submitted the report, the relevant portion

whereof reads as under:-

*“1. It is respectfully submitted that as per statement of investigating officer L/HC Ravita No.188/DDR, total six accused persons were arrayed/made in this case and only accused Lalit was arrested and produced before the Court of Ld. JMJC/Duty Magistrate by Investigating Officer and except him no any other accused was arrested in this case. Remaining named person were found innocent. Accused namely Lalit (petitioner before Hon'ble High Court) has appeared before the court of undersigned and had made his statement in the court with regard to compromise with complainant. It is further respectfully submitted that none of the accused persons has been declared proclaimed person/offender in this case nor any such proceeding is pending.*

*2. From the statements of the parties i.e. accused (petitioner before Hon'ble High Court) namely, Lalit and complainant (respondent No.2 before Hon'ble High Court) namely, Mohini recorded before the undersigned, the compromise arrived at between the parties appears to be genuine, voluntary and out of the free will and it also appears that the statements of the parties are not the result of any pressure, coercion or undue influence in any manner.*

*3. As per report of Investigating Officer L/HC Ravita No.188/DDR, no any other criminal case except the present case, was registered or is pending against any of accused.*

*4. The case is pending at the stage of prosecution evidence.”*

5. Learned counsel for the petitioner contends that the FIR was registered against the petitioner and other relatives, who were found innocent during the course of investigation and challan has been presented only against the petitioner. The marriage of the petitioner was solemnized with respondent No.2 on 19.11.2018 but no child has been born from the wedlock. The matrimonial dispute has been amicably settled between the

parties. The marriage of the petitioner and respondent No.2 has been dissolved by a decree of divorce by mutual consent under Section 13-B of Hindu Marriage Act in terms of judgment and decree dated 15.04.2023 passed by the Court of learned Additional District Judge, Charkhi Dadri. The petitioner has paid a sum of Rs.4,50,000/- to respondent No.2 on account of permanent alimony. Respondent No.2 has received all her articles of *IstriDhan* and nothing is due payable to her by the petitioner. No other case is pending between the parties.

6. Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the matrimonial dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

9. For the aforesaid view, this Court finds support from

***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3)***

*RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

10. Accordingly, the present petition is allowed and FIR No.44 dated 22.10.2019 under Sections 323/34/406/498-A/506 IPC, registered at Police Station Jhojhu Kalan, District Charkhi Dadri and all the consequential proceedings arising therefrom, are quashed qua the petitioner only.

21.11.2023

Janki

(VIVEK PURI)  
JUDGE

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*