

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

**CRM-M-21566-2023
Date of decision: 13.12.2023**

SACHIN AND ANOTHERPetitioners
versus
STATE OF HARYANA AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Sikandh Mehta, Advocate for
Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Raghav Bali, Advocate for
Mr. Ankit Aggarwal, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.855 dated 16.09.2022, under Sections 323, 34, 354, 406, 498-A, 506 and 509 of IPC, registered at Police Station Karnal City, District Karnal (Annexure P-1), on the basis of compromise dated 21.04.2023 (Annexure P-2) between the parties.

2. Learned counsel for the petitioners *inter alia* contends that the present FIR was registered on account of matrimonial dispute between petitioner-Sachin and respondent No.2-Seema. However, the parties have effected a compromise and petitioner No.1-Sachin and respondent No.2-Seema have agreed to live together as husband and wife. As such, respondent No.2 agreed not to take any action against the petitioner in the present FIR. They are living together since 21.04.2023.

3. Learned State counsel has informed that after investigation, though the FIR was registered against five persons, but challan was filed only against the

present petitioners namely Sachin and Bharat Bhushan and the offence under Section 354 IPC was deleted.

4. Vide order dated 12.09.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

5. The report dated 09.11.2023 of learned Additional Chief Judicial Magistrate, Karnal through the District & Sessions Judge, Karnal, has been received. As per said report, the compromise between the parties is genuine. The relevant portion of the said report reads as under:

“Parties have submitted that without any pressure and coercion, a compromise has been effected between complainant and accused. This has been done to finish the litigation and to have peaceful and harmonious relations. Now the complainant does not want any action against accused and requested to quash the FIR in question. Statement of Investigating Officer has also been recorded, as mentioned above.”

6. Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

7. Since the matter has been settled and the parties are living together since 21.04.2023 and respondent No.2/complainant does not want to take any action against the present petitioner, as such, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

8. Consequently, this petition is allowed and FIR No.855 dated 16.09.2022, under Sections 323, 34, 354, 406, 498-A, 506 and 509 of IPC,

subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

13.12.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No