

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45384-2023 (O&M)

Date of Decision: 09.11.2023

ABHISHEK ATTRI

.....PETITIONER

Vs.

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ajit Sihag, Advocate,
for the petitioner.

Mr. Amrik Singh Narwal, D.A.G. Haryana.

Mr. Vaibhav Sharma, Advocate, for
Mr. Rajesh Hooda, Advocate,
for respondent No. 2.

HARPREET KAUR JEEWAN J. (ORAL)

[1] By this petition, quashing of FIR No. 0438 dated 20.08.2018, registered under Sections 323/34/406/498-A/506 of the IPC, against the petitioners is sought on the basis of a compromise arrived at between the petitioner (accused) and respondent no. 2.

[2] Counsel for the petitioner *inter alia* contends that it was a matrimonial dispute which has been finally settled culminating into the decree of divorce under Section 13 (B) Hindu Marriage Act, 1955, granted by the Principal Judge, Family Court, Hansi, as per order dated 27.07.2023 (Annexure P-4). Parties have compromised all the disputes arising out of their marriage and no dispute is left.

[3] Counsel for respondent No. 2, Neha Sharma, confirms the fact that divorce petition has been accepted under Section 13 (B) of the Hindu Marriage Act, 1955 and regarding the compromise having been arrived between the parties. It has been further submitted that she has no objection if the present FIR is quashed.

[4] Learned counsel for the State informs that the '*challan*' was presented before the Court on 06.10.2018 after completion of the investigation and at presently only one prosecution witness has been examined out of 10 prosecution witnesses and the next date of hearing before the trial Court is 24.01.2024.

[5] Vide an order of this Court dated 13.09.2023, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

[6] Pursuant to that order, a report has been received from the Sub-Divisional Judicial Magistrate, Hansi, through the District & Sessions Judge, Hisar, in which it is stated that both the parties have appeared before the said Court and voluntarily made a statement to the effect that with the intervention of the '*Panchayat*', the matter has been compromised and there is no ill-will which remains between the parties and Neha Sharma, (the complainant) has no objection if the FIR in question is quashed. The parties were duly identified through their respective counsels. It is also reported that the matter has been compromised without any fear or pressure on either of them.

[7] In view of the above, the present petition is allowed and FIR No. 0438 dated 20.08.2018, registered against the petitioner at Police Station City Hansi, District Hisar, for the alleged commission of offences punishable under Sections 323/34/406/498-A/506 of the IPC, along with all proceedings emanating therefrom, are hereby quashed.

November 09, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes/No
Whether reportable	Yes/No