

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.260

CRM-M-49050-2023 (O&M)

Date of decision : 08.12.2023

Parveen Kumar and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Raghav Goel, Advocate, for the petitioners.

Mr. K.S. Thakur, AAG, Haryana

Mr. S.K. Raghuvanshi, 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. 0541 dated 24.07.2021 registered at Police Station Kharkhoda, District Sonipat under Sections 323, 377, 498-A IPC on the basis of compromise dated 01.08.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* submits that the marriage between petitioner No.1 and complainant-respondent No.2 has been dissolved by a decree passed in a petition under Section 13-B of the Hindu Marriage Act, 1955 by Family Court, Kharkhoda, Sonipat. Copy of the statements of the parties recorded in first motion is annexed as Annexure P-2. Thereafter, the decree dated 08.11.2023 was passed and copy of the said decree is submitted in Court today which is taken on record.

CRM-M-49050-2023 (O&M)

2

[3]. On the other hand, learned State counsel has informed that out of five persons named in the present FIR, two were declared innocent and challan was only presented against the petitioners.

[4] As per the report dated 04.11.2023, Court of Dr. Renu Solkhe, Sub Divisional Judicial Magistrate, Kharkhoda, District Sonipat the petitioners are the only accused in the present FIR. No accused has been declared as Proclaimed Offender in this case. The statement of the parties were recorded and he has submitted that the compromise is genuine and voluntarily without any force or undue influence. No other person is involved in the present FIR. There is only one victim/complainant and she is supported to the compromise.

[5] The Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543**, have observed that in order to secure the ends of justice or to prevent of process of Court, this Court can use inherent powers to quash the criminal proceedings in which compromise has been effected.

[6] Since it was a matrimonial dispute and now the parties have settled the same by mutually arriving to a compromise and they have decided to dissolve the matrimonial ties and live sepratly, as such further continuing with the present FIR is not in the interest of the parties. This Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

[7] Consequently, this petition is allowed and FIR No. 0541 dated 24.07.2021 registered at Police Station Kharkhoda, District Sonipat under

CRM-M-49050-2023 (O&M)

3

Sections 323, 377, 498-A IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[8] Pending miscellaneous application(s), if any, also stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

08.12.2023
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No