



Sr. No.282 (02 cases)

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

Date of decision: 05th November 2024

(I) CRM-M-1268-2023 (O&M)

PARVEEN KUMARI AND ANR**Petitioners**

versus

STATE OF HARYANA AND ANOTHER**Respondents**

(II) CRM-M-54440-2018 (O&M)

MANISH SUDAN**Petitioner**

versus

STATE OF HARYANA AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Tejpal Singh Dhull, Advocate
for the petitioners.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

Mr. Naveen Dahiya, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Though 02 separate petitions have been filed under Section 482 Cr.P.C. for quashing of FIR No.07 dated 26.02.2016, under Sections 406, 498-A IPC, 1860 (Sections 406, 323, 506 IPC added later on), registered at Police Station Women, Ambala (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise by way of a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P-2); however, both the petitions are being decided together by this common order, since they



2. Criminal Petition bearing No.CRM-M-1268-2023 has been filed on behalf of Parveen Kumari and Chaman Lal Sudan, who are the mother-in-law and father-in-law respectively of respondent No.2, whereas, Criminal Petition bearing No.CRM-M-54440-2018 has been filed on behalf of Manish Sudan, who is the husband of respondent No.2.

3. Both the petitions have been filed on the basis of a settlement between the parties regarding the matrimonial dispute (Annexure P-2).

4. Learned counsel for the petitioner submits that the petitioner-Chaman Lal (father-in-law of respondent No.2) has expired. The original death certificate of petitioner-Chaman Lal, reflecting his date of death as 16.08.2023, has been submitted in the Court today, which is taken on record.

5. This Court, vide order dated 12.07.2022, passed in CRM-M-54440-2018, had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

6. Pursuant to the aforesaid order, the statements of the parties were recorded by the learned Chief Judicial Magistrate, Ambala in CRM-M-54440-2018, whereby, it has been reported that the settlement is out of the free will of the parties and the compromise is genuine and valid. As per the report of the learned Magistrate, the accused have not been declared as “Proclaimed Offenders” and no other FIR has even been lodged against them.

6.1 The statement of complainant-Aanchal Sudan has also been recorded by the learned Chief Judicial Magistrate, Ambala on 15.09.2022, wherein, she has categorically stated that the compromise has been effected



between the parties and even divorce has been granted. She has further stated that she does not want to take any action against the petitioners.

7. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

8. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

9. Following the principles laid down by the Full Bench judgment of this Court in “Kulwinder Singh and others Versus State of Punjab and another 2007” (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in “Gian Singh Versus State of Punjab and others” (2012) 10 SCC 303, both the petitions are allowed and FIR No.07 dated 26.02.2016, under Sections 406, 498-A IPC, 1860 (Sections 406, 323, 506 IPC added later on), registered at Police Station Women, Ambala (Annexure P-1) and all subsequent proceedings arising therefrom, are ordered to be quashed qua the petitioners.

10. However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed (Annexure P-2) are violated.

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

12. A photocopy of this order be placed on the connected case file.

(HARPREET KAUR JEEWAN)
JUDGE

05th November 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No