

Sr. No.300

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-1532-2024

Date of decision: 07<sup>th</sup> May, 2024

AKASH AHUJA

.....Petitioner

versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Sukhveer Kaur, Advocate for  
Mr. Yash Dev Kaushik, Advocate  
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Ms. Kulwinder Kaur, Advocate for  
Ms. Harvinder Kaur, Advocate  
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.254 dated 13.10.2021, under Sections 323, 34, 406, 498-A, 506, 504 IPC, 1860 (Sections 504, 34 IPC deleted later on), registered at Police Station Bass, District Hansi (Annexure P-1), on the basis of compromise deed/joint statement of parties dated 11.12.2023 (Annexure P-2), executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute. However, with the intervention of the respectables, the matter has now been amicably settled on the basis of compromise deed/joint statement of parties dated 11.12.2023 (Annexure P-2). The parties have decided to part ways and a joint

behalf of the parties, has already been allowed by the Family Court, Gurugram and a sum of Rs.4,50,000/- has been paid by the petitioner-husband to respondent No.2-wife qua permanent alimony. Respondent No.2-wife does not want to pursue the FIR and she has no objection if the FIR is quashed.

[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties.

[4] On 13.02.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 05.03.2024, received from the Judicial Magistrate, Ist Class, Hansi, through the District & Sessions Judge, Hisar, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as "Proclaimed Offender" and he is not involved in any other criminal case.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] The matrimonial dispute between the parties stands settled. Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, the present petition is allowed and FIR No.254 dated 13.10.2021, under Sections 323, 34, 406, 498-A, 506, 504 IPC, 1860 (Sections 504,

P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9]           However, the respondent No.2-wife 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.

[10]          Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)  
JUDGE

07<sup>th</sup> May, 2024  
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|----------------------------------|---|---------------|
| <i>Whether speaking/reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>        | : | <i>Yes/No</i> |