

**CRMs-21674 & 21675 of 2024 IN/AND
CRM-M-1625-2024 (O&M)**

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

**CRMs-21674 & 21675 of 2024 IN/AND
CRM-M-1625-2024 (O&M)
Date of Decision: 20.05.2024**

MANOJ & ANOTHER

.....PETITIONERS

Vs.

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Vikas Gulia, Advocate, for the petitioners.

Ms. Jasleen Chahal, A.A.G. Haryana.

Mr. Vishal Yadav, Advocate, for respondent No. 2.

HARPREET KAUR JEEWAN J. (ORAL)

CRM-21674-2024

1. By this application, the applicants-petitioners pray for preponement of the date of hearing fixed in the accompanying petition from 15.07.2024 to some early date.

2. For the reasons mentioned in the application, which is duly supported by an affidavit of the applicant, the same is allowed and the date of hearing fixed in the accompanying petition is advanced from 15.07.2024 to today itself. The matter is taken up on Board for hearing.

CRM-21675-2024

1. By this application, the applicant-petitioner seeks permission to place on record a copy of the judgment and decree of granting divorce as Annexure P-4 with the accompanying petition.



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2. The application is allowed. The aforesaid copy is taken on record as Annexure P-4 with the accompanying petition, subject to all just exceptions. Office to tag the same at appropriate place.

CRM-M-1625-2024

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 553, dated 23.12.2017, under Sections 323, 354-A, 406, 498-A and 506 of the IPC read with Section 34 thereof, registered at Police Station Sadar, District Sonipat, (Annexure P-1), on the basis of compromise dated 03.01.2024 (Annexure P-2) arrived at between the parties.

[2] Counsel for the petitioners *inter alia* contends that the FIR was registered at the instance of respondent No. 2-complainant who is the wife of the petitioner No. 1. Petitioner No. 2 is the mother-in-law of respondent No. 2-complainant. A compromise/settlement deed dated 03.01.2024 (Annexure P-2) has been executed between the parties. They have decided to live separately. A joint petition filed under Section 13-B of the Hindu Marriage Act, 1955, has also been allowed by the learned Family Court, Sonipat, vide its judgment dated 19.01.2024 (Annexure P-4). Respondent No. 2 have no objection if the present FIR against the present petitioners is quashed by this Court.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties. He submits that respondent No. 2-complainant has no objection if the present FIR against the present petitioners is quashed by this Court.



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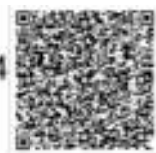
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[4] On 12.01.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 05.03.2024, received from the Additional Chief Judicial Magistrate, Sonapat, through the District & Sessions Judge, Sonapat, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender” and they are not involved in any other criminal case. Though initially the FIR was registered against four persons namely, Manoj, Murti Devi, Puran and Jasmer, however, Puran and Jasmer were declared innocent during investigation. At present investigation is not pending against any of the accused. Section 354-A IPC was deleted during the investigation. Respondent No. 2-complainant is the only aggrieved person/victim in the present FIR.

[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.



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[8] Consequently, this petition is allowed and FIR No. 553, dated 23.12.2017, under Sections 323, 354-A, 406, 498-A and 506 of the IPC read with Section 34 thereof, registered at Police Station Sadar, District Sonipat, (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[09] However, the respondent No.2-Pooja and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of dated 03.01.2024 (Annexure P-2) are violated.

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

May 20, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No