

Sr. No.298

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

CRM-M-4749-2024
Date of decision: 01st April, 2024

RAHUL AND ORS. **.....Petitioners**

versus

STATE OF HARYANA AND ANOTHER **.....Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. S.K. Verma, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Vikram Mor, 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.474 dated 13.12.2020, under Sections 313, 323, 354-A, 498-A and 406 of the IPC read with Section 34 IPC, registered at Police Station Kalanaur, Tehsil Kalanaur, District Rohtak (Annexure P-1), on the basis of a compromise deed dated 10.01.2024 (Annexure P-2) 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. With the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 10.01.2024 (Annexure P-2). As per the compromise, the parties have decided to part ways and a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955 has already been filed by them before the Family Court, Jind. 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 30.01.2024, 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 22.02.2024, received from the Judicial Magistrate, Ist Class, Rohtak, through the District & Sessions Judge, Rohtak, 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] Keeping in view the facts and circumstances of the case and 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, this petition is allowed and FIR No.474 dated 13.12.2020, registered at Police Station Kalanaur, Tehsil Kalanaur, District Rohtak, under Sections 313, 323, 354-A, 498-A and 406 of the IPC read with Section 34 IPC (Annexure 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 dated 10.01.2024 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

01st April, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>