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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-6599-2024(O&M)

Date of Decision: 29.04.2024

KAMAL AND OTHERS

V/S

STATE OF HARYANA AND ANOTHER

... PETITIONERS

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:

Mr. Yugank Goyal, Advocate for

Dr. Vikas Rohal, Advocate, for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Shantanu Bansal, Advocate, for respondent No. 2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1]

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.96 dated 22.09.2022, registered at Police Station Women, District Kaithal, under Sections 313, 323, 354-A, 377, 406, 498-A and 506 of the IPC read with Section 34 thereof along with all the subsequent proceedings arising therefrom, on the basis of a compromise deed dated 10.01.2024 (Annexure P-2) executed between the parties.

[2]

Learned counsel for the petitioners *inter alia* contends that the FIR was got registered by respondent No.2 on account of the matrimonial dispute between petitioner No.1 and respondent No. 2 which stands resolved now. Petitioner No. 1 (husband) and respondent No. 2 (wife) along with their minor child are living together since the date of compromise. Respondent No. 2 does not want to take any action in the matter.

[3]

Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties and submits that

respondent No.2 does not want to take any action in the present FIR.

[4] On 08.02.2024, 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 11.03.2024, received from the learned Judicial Magistrate First Class, Kaithal, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as "Proclaimed Offender". After registration of the FIR, Section 180 IPC was added and Section 313 IPC was deleted during investigation.

[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, this petition is allowed and FIR No. 96 dated 22.09.2022, registered at Police Station Women, District Kaithal, under Sections 313, 323, 354-A, 377, 406, 498-A and 506 of the IPC read with Section 34 thereof and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, 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 dated 10.01.2024 are violated.

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

29.04.2024

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(HARPREET KAUR JEEWAN)  
JUDGE

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*