



CRM-M-6732-2024 (O&M) - 1 -

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

327

CRM-M-6732-2024 (O&M)
Date of Decision: 27.05.2024

MILKH RAJ AND ANOTHER
V/S

... PETITIONERS

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. R. K. Bhatia, Advocate for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Pulkit Dagar, 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.0446 dated 22.10.2021 under Sections 323, 406, 498-A, 506, 34 IPC registered at Police Station Sirsa Sadar, District Sirsa and all consequential proceedings arising therefrom on the basis of the compromise deed dated 02.02.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered due to a matrimonial dispute between the parties and now the parties have effected a compromise (Annexure P-2). He further contends that petitioner No.2-husband and respondent No.2-wife have also filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955 before the Family Court, Sirsa, as such, respondent No.2-wife does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent No. 2 has

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confirmed the factum of compromise between the parties.

[4] On 09.02.2024, 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 05.04.2024 received from the Addl. Chief Judicial Magistrate, Sirsa 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”.

[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 0446 dated 22.10.2021 under Sections 323, 406, 498-A, 506, 34 IPC registered at Police Station Sirsa Sadar, District Sirsa 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 02.02.2024 are violated.



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

27.05.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No