

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

297

CRM-M-7077-2024 (O&M)  
Date of decision: 10.04.2024

SHARVAN

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Ms. Mehak Ghangas, Advocate for  
Mr. Ajay Ghangas, Advocate  
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Ms. Manvi Singh, Advocate for  
Mr. K.I. Singh, Advocate  
for respondent No.2.

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HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0113 dated 04.07.2021, under Sections 498-A, 406, 506, 323 IPC registered at Women Police Station, District Panipat (Annexure P-1), on the basis of compromise (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between the parties. He further contends that the matter has been settled between the petitioner-husband and respondent No.2-wife and compromise (Annexure P-2) has been executed between them. He submits that petitioner-

husband and respondent No.2-wife have filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955 before the Family Court, as such, respondent No.2 does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent No.2 has 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 07.03.2024, received from the Judicial Magistrate 1<sup>st</sup> Class, Panipat through the District & Sessions Judge, Panipat, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. No other case is pending against the present petitioner and he has 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 FIR No.0113 dated 04.07.2021, under Sections 498-A, 406, 506, 323 IPC registered at Women Police

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

[9] However, the 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 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN )  
JUDGE

10.04.2024

P.Bhatt

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |