



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

294

CRM-M-8304-2024 (O&M)  
Date of decision: 11.07.2024

ROSHAN LAL AND ANR.

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Varshit Garg, Advocate  
for the petitioners.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

Mr. Rishab Garg, 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.0701 dated 06.08.2022, under Sections 406, 498-A, 506 IPC registered at Police Station Karnal City, Karnal (Annexure P-1), on the basis of compromise deed dated 06.01.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners *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 petitioners and respondent No.2 and compromise deed dated 06.01.2024 (Annexure P-2) has been executed between them. He submits that a



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joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955 filed on behalf of petitioner No.2-husband and respondent No.2-wife has already been accepted by the Family Court, Camp Office, Indri. Copy of the said decree of divorce has been submitted in the Court today, which is taken on record. As per the compromise, petitioner No.2-husband has already paid an amount of Rs.5,50,000/- to respondent No.2, as such respondent No.2 does not want to take any action in the FIR.

[3] On 16.02.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise. The said order reads as under:-

“1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 0701 dated 06.08.2022, registered at Police Station City, District Karnal, under Sections 406, 498-A and 506 of the IPC, on the basis of a compromise dated 06.01.2024 (Annexure P-2) 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. 2-Gourav Vohra. A copy of the compromise dated 06.01.2024 (Annexure P-2) has been executed between the parties. The parties have amicably compromised the matter and have also decided to file a petition for getting divorce by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955, before the learned Family Court.

3. Notice of motion.

4. On the asking of the Court, Mr. Amrik Singh Narwal, D.A.G. Haryana, accepts notice on behalf of respondent No. 1-State and seeks time to verify as to whether all the accused and victim in the present FIR/case have been arrayed as a party in the present petition and as to whether any of the accused has been declared as proclaimed offender.

5. Mr. Rishad Garg, Advocate, accepts notice on behalf of respondent No. 2 and filed his power of attorney in Court today, which is taken on record and he confirms about factum of compromise between the parties.

6. Copies of the petition be handed over to learned counsel for the respondents during the course of the day.

7. Adjourned to 25.04.2024.

8. The parties are directed to appear before the trial Court/Illaq Magistrate up-to **21.03.2024** for recording of their statements. The trial Court may record the statement of petitioner No. 2-Gourav Vohra (husband) through the video conferencing subject to his proper identification by his counsel, as well as by respondent No. 2-



complainant (wife). After recording the statements of all the accused, victim, complainant and injured if any, the trial Court/Illaqa Magistrate shall verify the Special Power of Attorney given by petitioner No. 2-Gourav Vohra to his father, i.e. petitioner No. 1-Roshan Lal (Annexure P-3) and also send a report to this Court.

[4] The trial Court had initially sent a report dated 01.04.2024, however vide order dated 25.04.2024, the trial Court was again directed to record the statement of respondent No.2 through video conferencing and to submit report regarding verification of the special power of attorney given by petitioner No.2 in favour of his father.

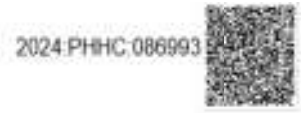
[5] The Chief Judicial Magistrate, Karnal has submitted another report dated 13.06.2024 confirming the fact that statement of petitioner No.2 was recorded through video conferencing. Statement of the Investigating Officer-SI Jaipal had also been recorded regarding execution of power of attorney of petitioner No.2 in favour of his father i.e. petitioner No.1. It has been reported that on 16.05.2024, statements of the complainant Megha Khanna and accused Roshan Lal were recorded. It has been further reported that compromise entered between all the affected parties is genuine and no accused have been declared as proclaimed offender.

[6] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties.

[7] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[8] The matrimonial dispute between the parties stands resolved. In view of the above, no useful purpose would be served to continue with the prosecution of the petitioners in the present FIR.

[9] 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.

[10] Consequently, this petition is allowed and FIR No.0701 dated 06.08.2022, under Sections 406, 498-A, 506 IPC registered at Police Station Karnal City, Karnal (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[11] 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.

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

(HARPREET KAUR JEEWAN )  
JUDGE

11.07.2024

P.Bhatt

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