



222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18633-2024 (O&M)

Date of decision: 20.05.2024

NICKY NIRMAL VAID AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manu Loona, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Ms. Isha Janjua, Advocate
for respondent No. 2-wife.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.158 dated 22.11.2018 under Sections 342/406/498-A/509/34 of Indian Penal Code registered at Police Station Women Police Station, Gurugram and all consequential proceedings arising therefrom on the basis of compromise arrived at between the parties vide deed of settlement dated 15.03.2024 (Annexure P-3).

2. The following order was passed on 18.04.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.158 dated 22.11.2018 under Sections 342/406/498-A/509/34 of IPC registered at Police Station Women Police Station, Gurugram (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

Learned counsel for the petitioners inter alia contends that petitioners No.2, 3 & 4 are the mother-in-law, father-in-law and brother-in-law of respondent No.2, respectively and they are residents of Mumbai and they have absolutely no involvement in the marital affairs of the complainant/respondent No.2 and, as such, their recording of statements be dispensed with. He further submits



that for the purpose of compromise, statement of the complainant and petitioner No.1 is necessary and the same would suffice the purpose.

In view of the above, recording of statements of petitioners No.2 to 4 is hereby dispensed with.

Notice of motion for 20.05.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Ajay Kalra, Advocate accepts notice for respondent No.2 and files his memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel appearing for respondent No.2 is directed to file his power of attorney on or before the next date of hearing.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 20.05.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in



Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052, this petition is allowed and FIR No.158 dated 22.11.2018 under Sections 342/406/498-A/509/34 of Indian Penal Code registered at Police Station Women Police Station, Gurugram and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 20, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No