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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15310-2024 (O&M)
Date of decision: 02.05.2024

SANDEEP

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Inderpal Kaur, Advocate for
Mr. Rajinder Singh Malik, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Pankaj Rana, Advocate
for respondent No. 2.

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. 106 dated 14.03.2021 registered under Sections 323, 406 and 498-A of Indian Penal Code at Police Station Barauda, District Sonapat and all subsequent proceedings arising therefrom on the basis of compromise dated 12.03.2024 and 19.03.2024 (Annexure P-4 and P-5).

2. The following order was passed on 01.04.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.106 dated 14.03.2021 under Sections 323/406/498-A of IPC registered at Police Station Barauda, District Sonapat and final report under Section 173 of Cr.P.C. dated 30.04.2021 (Annexure P-2) along with all subsequent proceedings arising therefrom on the basis of compromise dated 12.03.2024 and 19.03.2024 (Annexures P-4 & P-5).

Learned counsel for the petitioner inter alia contends that the FIR (supra) was registered due to the matrimonial dispute between the petitioner and his wife and now, the compromise has been effected between them and they have approached the learned

Family Court by filing petition under Section 13-B of the Hindu Marriage Act, 1955, seeking dissolution of marriage with mutual consent.

Notice of motion for 02.05.2024.

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. Pankaj Rana, Advocate accepts notice for respondent No.2 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

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. 02.05.2024.

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 (Crl.) 1052**, this petition is allowed and FIR No. 106 dated 14.03.2021 registered under Sections 323, 406 and 498-A of Indian Penal Code at Police Station

Barauda, District Sonapat and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 02, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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