



208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18353-2024 (O&M)
Date of decision: 17.05.2024

PRIYANK BHARDWAJ AND ANOTHER
V/S
...PETITIONERS

STATE OF HARYANA AND ANOTHER
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rishu Mahajan, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

None 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. 21 dated 23.02.2022 registered under Sections 323, 34, 377, 406, 498-A, 506 of Indian Penal Code at Police Station Women Faridabad and all consequential proceedings arising therefrom on the basis of compromise dated 12.09.2022. (Annexure P-2).

2. The following order was passed on 16.04.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.21 dated 23.02.2022 under Sections 323/34/377/406/498- A/506 of IPC registered at Police Station Women, Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 12.09.2022 (Annexure P-2).

Learned counsel for the petitioners submits that the FIR (supra) is lodged due to matrimonial dispute between petitioner No.1 and respondent No.2 and the dispute is purely private in nature. Petitioner No.1 and respondent No.2 have amicably settled the dispute by effecting compromise dated 12.09.2022 (Annexure P-2).

Notice of motion for 17.05.2024.



At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to her during the course of day. Learned counsel for the petitioners undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.

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. 17.05.2024.

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. 21 dated 23.02.2022 registered under Sections 323, 34, 377, 406, 498-A, 506 of Indian Penal Code at Police Station Women Faridabad and all subsequent proceedings arising out of the same are quashed, qua the petitioners.



5. Learned counsel for the petitioners submits that Rs. 2,00,000/- out of the settled amount, still remains to be paid to the complainant-respondent No. 2 and he undertakes to pay the remaining amount of Rs. 2,00,000/- to her within a period of 02 weeks.

6. In case, the remaining amount pending towards the full and final settlement is not paid by the petitioner, within the aforementioned period, respondent No. 2 would be at liberty to seek revival of the present petition by moving appropriate application.

May 17, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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