



224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18090-2024

Date of decision: 16.05.2024

AVTAR SINGH

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Yagsimant Attri, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Rahul Verma, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.166 dated 08.08.2021 under Sections 406/498-A/506/323/34 of IPC registered at Police Station Women Police Station NIT, Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.01.2024 (Annexure P-2).

2. The following order was passed on 15.04.2024 :-

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.166 dated 08.08.2021 under Sections 406/498-A/506/323/34 of IPC registered at Police Station Women Police Station NIT, Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.01.2024 (Annexure P-2).

Learned counsel for the petitioner inter alia contends that the petitioner and respondent No.2 have already filed a petition under Section 13-B of the Hindu Marriage Act seeking divorce with mutual consent.

Notice of motion for 16.05.2024.

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. Rahul Verma, 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/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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. 16.05.2024.

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

3. In compliance of the above 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.166 dated 08.08.2021 under Sections 406/498-A/506/323/34 of IPC registered at Police Station Women Police Station NIT, Faridabad (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 16, 2024
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(HARPREET SINGH BRAR)
JUDGE

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