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300 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18645-2024 (O&M)
DATE OF DECISION : 03.09.2024

SORAB RAJP ALIAS SORAB RAJPUROHIT ... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Shairon Tyagi, Advocate for the petitioner.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Mr. S.P.S. Sandhu, Advocate for respondent No.2.

* * * *

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.181 dated 07.09.2019, under Sections 498-A, 406, 323 and 324 IPC, registered at Police Station Chattiwind, Amritsar, on the basis of judgment and decree of divorce dated 29.11.2023.

[2] Learned counsel for the petitioner *inter alia* contends that the matter stands compromised between the parties. A joint divorce petition under Section 13-B of the Hindu Marriage Act has already been filed by the parties. A decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act has already been passed by the Family Court, Kapurthala on 29.11.2023 in favour of the petitioner and respondent No.2 The petitioner-Sorab Rajp @ Sorab Rajpurohit and respondent No.2-Ranjana Kohli have decided to withdraw all the cases *inter se* each other, as mentioned in Para No. 8 of the petition bearing No. HMA-



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Rs.36,00,000/- as full and final settlement to respondent No.2 and their minor daughter, as such, respondent No.2 does not want to take any action against the petitioner

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

[4] On 17.07.2024, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 14.08.2024, received from the learned Judicial Magistrate First Class, Amritsar, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. It has been further reported that the FIR was registered against four persons namely Sorab Rajpurohit, Madhu Rajpurohit, Ritika and R.K.Sharma. However, final report under Section 173 Cr.P.C. was presented only against the present petitioner (Sorab Rajpurohit) and other three accused were declared innocent. The petitioner has not been declared as "Proclaimed Offender".

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

[7] The matrimonial dispute between the parties stands settled. 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



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(Criminal) 1052, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No. 181 dated 07.09.2019, under Sections 498-A, 406, 323 and 324 IPC, registered at Police Station Chattiwind, Amritsar and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, 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 are violated.

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

03.09.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No