



228 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18996-2024
Date of decision: 20.05.2024

SANDEEP KUMAR

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohit Kamra, Advocate for
Mr. Ankur Mehta, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Imran Mohd., Advocate for
Mr. Arvinder Arora, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.12 dated 03.03.2023 under Sections 323, 377, 406, 498-A, 506 of IPC and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015, registered at Women Police Station Naraingarh, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.03.2023 (Annexure P-2).

2. The following order was passed on 19.04.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.12 dated 03.03.2023 under Sections 323, 377, 406, 498-A, 506 of IPC and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015, registered at Women Police Station Naraingarh, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.03.2023 (Annexure P-2).



Learned counsel for the petitioner, inter alia, contends that FIR (supra) was registered due to matrimonial discord between the petitioner and respondent No.2 and now they have resolved their dispute amicably and the dispute is purely private in nature. Even a petition under Section 13-B of the Hindu Marriage Act, 1955 seeking dissolution of marriage by way of mutual consent has been filed.

Notice of motion for 20.05.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Arvinder Arora, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. 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. 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 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.12 dated 03.03.2023 under Sections 323, 377, 406, 498-A, 506 of IPC and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015, registered at Women Police Station Naraingarh, District Ambala (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

May 20, 2024
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(HARPREET SINGH BRAR)
JUDGE

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