



**305+298 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-18794-2024

Date of decision: 04.07.2024

Gurnam Devi and another

....Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

None for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.225 dated 08.07.2022 under Sections 323/354/406/498-A/506 of Indian Penal Code registered at Police Station Mullana, District Ambala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 19.02.2023 (Annexure P-4).

2. On 19.04.2024, the following order was passed:-

The present petition has been filed on behalf of the petitioners for quashing of FIR No.225 dated 08.07.2022, registered under Sections 323, 354, 406, 498-A & 506 IPC at Police Station Mullana, District Ambala on the basis of compromise dated 19.02.2023 (Annexure P-4).

Learned counsel for the petitioners inter alia contends that the petitioners are the relatives of husband of respondent No.2. There was a matrimonial dispute inter se respondent No.2 and her husband which has now been resolved. Respondent No.2 and her husband have already filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act.

Notice of motion.

Mr. Amrik Singh Narwal, D.A.G., Haryana accepts notice on behalf of the State and Mr. Anirudh Gupta, Advocate appearing for Mr.



Navneet Singh, Advocate has put appearance on behalf of respondent No.2 and confirms about factum of compromise inter se the parties.

Learned counsel for respondent No.2 to file power of attorney.

The State to file objections, if any; and also to verify as to whether all the accused in the present FIR/case have been arrayed as a party in the present petition and as to whether any of the accused has been declared as proclaimed offender. State may file reply/status report.

Adjourned to 04.07.2024.

The parties are directed to appear before the trial Court/Illaq Magistrate up-to 10.05.2024 for recording of their statements. After recording the statements of all the accused, victim, complainant and injured, if any, the trial Court/Illaq Magistrate shall send a report to this Court on the following facts well before the next date of hearing:-

I. Whether a genuine compromise has been arrived at between all the affected parties.

II. Whether the complainant, all the injured/victim and all the accused are party to the compromise?

III. Whether during investigation, any additional accused has been added and he/she is a party to the compromise?

IV. Whether any accused is a Proclaimed Offender?

V. Whether after the registration of the FIR any offence was added or deleted during investigation?

VI. Whether investigation is pending against any of the accused or any accused has been declared as innocent.'

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.225 dated 08.07.2022 under Sections 323/354/406/498-A/506 of Indian Penal Code registered at Police Station Mullana, District

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Ambala (Annexure P-1) and all consequential proceedings arising out of the same are quashed, *qua* the petitioners.

(HARPREET SINGH BRAR)

JUDGE

04.07.2024

Neha

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No