



CRM-M-19632-2024 (O&M)
Date of decision: 23.05.2024

...PETITIONER

V/S

...RESPONDENTS

Present: Mr. Gurinder Singh Dhillon, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Jagjot Singh, Advocate
for Mr. Aayush Garg, Advocate
for respondent No. 2.

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 83 dated 18.10.2018, registered under Sections 323, 406 and 498-A of Indian Penal Code at Police Station Mahila Thana, Gurugram and all subsequent proceedings arising out of the same, on the basis of compromise/settlement, the conditions of which were later on incorporated in the petitioner of mutual divorce (Annexure P-3).

2. The following order was passed on 22.04.2024:

“Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 83 dated 18.10.2018, registered under Sections 323, 406 and 498-A of Indian Penal Code at Police Station Mahila Thana, Gurugram and all subsequent proceedings arising out of the same, on the basis of compromise/settlement, the conditions of which were later on incorporated in the petitioner of mutual divorce (Annexure P-3).

Notice of motion.

Mr. Vikas Bhardwaj, AAG Haryana, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Mr. Ayush Garg, Advocate has put in appearance on behalf of respondent No. 2 and filed power of attorney. Same is taken on

record. Learned counsel for respondent No. 2 admits the factum of compromise.

Service is complete.

In the meantime, Parties are directed to appear before the learned trial Court/Illaqa Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaqa Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaqa Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 23.05.2024.

A copy of this order be sent to learned trial Court/Illaqa 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. 83 dated 18.10.2018, registered under Sections 323, 406 and 498-A of Indian Penal Code at Police Station Mahila Thana, Gurugram and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 23, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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