

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-21362-2023 (O&M)
Date of decision: 04.01.2024

AMAR VK

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Akshay Bansal, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. L.K. Narang, 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.0066 dated 10.08.2020 registered at Women Police Station, District Panchkula under Sections 323, 406, 498-A, 506 of the IPC on the basis of compromise between the parties (Annexure P-2).

[2] Status report by way of affidavit of Arvind Kamboj, HPS, Assistant Commissioner of Police, Crime, Panchkula has been filed on behalf of respondent-State in Court today, which is taken on record.

[3] Learned counsel for the petitioner *inter alia* contends that the petitioner-Amar VK and respondent No.2-Renu were married to each other. Due to a matrimonial dispute, the present FIR was registered. The parties have resolved their disputes and filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955. He further contends that respondent No.2 does not

want to take any action in the present FIR.

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

[5] As per order dated 28.04.2023, the parties were directed to appear before the trial Court/Duty Magistrate for recording of their statements and their report from the said Court was sought regarding genuineness of the compromise.

[6] As per the report dated 09.08.2023 of Court of Ms. Aparna Bhardwaj, Judicial Magistrate Ist Class, Panchkula, statements of petitioner and complainant-respondent No.2 have been recorded. No accused has been declared as Proclaimed Offender in this case. She has submitted that the compromise is genuine and voluntary without any force or undue influence. No other person is involved in the present FIR. There is only one victim/complainant and the compromise is supported by her.

[7] Learned State counsel has not raised any objection regarding the acceptance of the present petition. He submits that as per paras No.6 and 7 of the status report, during the course of investigation, co-accused persons namely Geeta Devi (mother-in-law), Tek Bhadur (father-in-law), Ashok Kumar (brother-in-law) and Anita (sister-in-law) were found to be innocent and their names have been deleted. He further submits that challan was prepared and presented before the trial Court at Panchkula on 07.10.2020 and charges were framed against the present petitioner on 11.01.2021.

[8] The Hon'ble Apex Court in *Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543*, has observed that in order to secure the ends of justice or to prevent the abuse of the process of Court, this Court can use inherent powers to quash the criminal proceedings in which compromise has been effected.

[9] Since it was a matrimonial dispute and now the parties have settled the same by mutually arriving to a compromise and since they have decided to mutually end the litigation and also filed petition for dissolution of their matrimonial ties under Section 13-B of the Hindu Marriage Act, 1955, as such, further continuing with the present FIR is not in the interest of the parties. This Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

[10] Consequently, this petition is allowed and FIR No.0066 dated 10.08.2020 registered at Women Police Station, District Panchkula under Sections 323, 406, 498-A, 506 of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[11] All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

04.01.2024
P.Bhatt

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