



236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22505-2024 (O&M)

Date of decision: 02.07.2024

MANDEEP SINGH NAIN

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Navjit Singh, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Ram Bhati, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This second petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.13 dated 18.01.2021 under Sections 323/34/406/498-A/506 of IPC registered at Police Station Mahesh Nagar, District Ambala (Annexure P-1) (Section 34 of IPC deleted later on) along with all subsequent proceedings arising therefrom on the basis of compromise dated 20.01.2024 (Annexure P-2) as well as petition under Section 13-B of the Hindu Marriage Act filed by respondent No.2 and the petitioner before the learned Family Court, Ambala.

2. The following order was passed on 07.05.2024:

"This second petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.13 dated 18.01.2021 under Sections 323/34/406/498-A/506 of IPC registered at Police Station Mahesh Nagar, District Ambala (Annexure P-1) (Section 34 of IPC deleted later on) along with all subsequent proceedings arising therefrom on the basis of compromise



dated 20.01.2024 (Annexure P-2) as well as petition under Section 13-B of the Hindu Marriage Act filed by respondent No.2 and the petitioner before the learned Family Court, Ambala.

Notice of motion for 02.07.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Ram Bhati, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. 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. 02.07.2024.

A copy of the order be sent to learned trial Court/Illaq 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.13 dated 18.01.2021 under Sections 323/34/406/498-

A/506 of IPC registered at Police Station Mahesh Nagar, District Ambala (Annexure P-1) (Section 34 of IPC deleted later on) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

July 02, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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