

CRM-M-23888-2023 (O&M) -1-

290 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-23888-2023 (O&M)
DATE OF DECISION: 13.11.2024

MANISH CHAHAL AND ANOTHER

.....PETITIONERS

Vs.

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Naresh Kumar Khepar, Advocate,
for the petitioners.

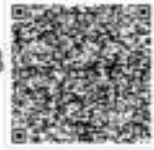
Mr. Deepak Kumar Grewal, D.A.G., Haryana.

None 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. 306 dated 30.07.2022, registered at Police Station Hathin, District Palwal, under Sections 323, 376, 498-A, 406, 506 and 511 of the Indian Penal Code, 1860 (for short '*the IPC*') read with Section 34 thereof (Sections 376 and 511 thereof were deleted and Section 354-A thereof was added later on), on the basis of a compromise dated 15.02.2023 (Annexure P-2) between the parties.

2. It is contended on behalf of the petitioners that it was a matrimonial dispute. The FIR was registered at the instance of respondent No. 2-complainant who is wife of petitioner No. 1-Manish Chahal and daughter-in-law of Petitioner No. 2-Rajbir Singh Chahal. The parties are stated to have amicably settled the dispute. In pursuance to the said settlement, they have decided to live separately. Petitioner No. 1 &



respondent No. 2 have also filed a petition seeking divorce under the provisions of Section 13-B of the Hindu Marriage Act, 1955. As such, respondent No. 2 does not have any objection if the present FIR against the present petitioners is quashed by this Court.

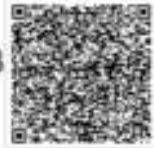
3. The parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded and report qua genuineness of the compromise was sought from the trial Court/Illaq Magistrate, vide order dated 11.05.2023.

4. As per the report dated 25.07.2024, received from the Sub-Divisional Judicial Magistrate, Hathin, through the District & Sessions Judge, Palwal, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender” and they are not involved in any other criminal case. There is only one aggrieved person, i.e. respondent No. 2-complainant in the present FIR and as per her statement, she does not want to take any action against the petitioners.

4.1 Further, in compliance of the order dated 15.04.2024, passed by this Bench, a cost of ₹10,000/- has also been deposited by the petitioners in the District Legal Services Authority, Palwal, which is also mentioned in the aforesaid report.

5. Learned State counsel has not raised any objection regarding the acceptance of the present petition.

6. The matrimonial dispute between the parties stands settled. In view the above, no useful purpose would be served to continue with the prosecution of the petitioners in the instant FIR.



7. Keeping in view the above and in view of the ratio of the decision of Hon'ble Apex Court in Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543 and the decision of Hon'ble the Full Bench of this Court in Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

8. Consequently, this petition is allowed and FIR No. 306 dated 30.07.2022, registered at Police Station Hathin, District Palwal, under Sections 323, 376, 498-A, 406, 506 and 511 of the IPC read with Section 34 thereof (Sections 376 and 511 of the IPC were deleted and Section 354-A IPC was added later on), and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

9. However, the respondent No.2-complainant and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise, dated 15.02.2023 (Annexure P-2) are violated.

10. Pending miscellaneous application (s), if any, shall also stand disposed of.

NOVEMBER 13, 2024
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No