

CRM-M-24969-2023

236 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-24969-2023 (O&M)
Date of Decision: 05.04.2024

AMANDEEP SINGH AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Arshad Ali, Advocate for
Mr. G.C. Shahpuri, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 18 dated 08.02.2020 registered under Sections 34, 354, 377, 406, 498-A, 506 of Indian Penal Code (Section 354 and 377 of IPC were deleted later on and Section 376, 511 of IPC added later on) at Police Station Sadhaura, District Yamuna Nagar along with all subsequent proceedings arising therefrom in view of the compromise dated 15.03.2023 (Annexure P-2).

2. The following order was passed on 18.05.2023:

“Prayer in the present petition under Section 482 Cr.P.C. for quashing of FIR in question and all other consequential proceedings arising therefrom, on the basis of compromise, arrived at between the parties.

Notice of motion.

Mr. Ashok Singh Chaudhary, Addl. A.G.,

Haryana, accepts notice on behalf of respondent No.1-State and seeks time to file reply, if any.

Let the parties to appear before the trial Court/Area Magistrate, as the case may be, on 31.05.2023 or any other date convenient to the parties, but not later than one week thereafter, for getting their statements recorded with regard to the compromise. Trial Court is directed to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise.

Report be sent through District and Sessions Judge before the next date of hearing.

Adjourned to 28.07.2023.”

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. Learned counsel for the petitioner further submits that the dispute is between husband and wife, which is purely private in nature and both the parties have parted ways by obtaining a decree of divorce with mutual consent under Section 13-B of Hindu Marriage Act.

5. 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. 18 dated 08.02.2020 registered under Sections 34, 354, 377, 406, 498-A, 506 of Indian Penal Code (Section 354 and 377 of IPC were deleted later on and Section 376,

511 of IPC added later on) at Police Station Sadhaura, District Yamuna Nagar and all subsequent proceedings arising therefrom, are quashed, qua the petitioners.

05.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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