



Sr. No.284

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-26758-2024 (O&M)
Date of decision: 04th November 2024**

ANIL KUMAR AND OTHERSPetitioners

versus

STATE OF HARYANA AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gaurav Singla, Advocate
for the petitioners.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

Ms. Geetanjali Atri, Advocate for
Mr. Sushil Bhardwaj, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.237 dated 25.12.2023, under Sections 498-A, 406, 323, 354-A read with Section 34 IPC, 1860, registered at Police Station Women West, Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of joint statement of the parties (Annexure P-2), recorded in a petition filed under Section 13-B of the Hindu Marriage Act, 1955 and settlement before the Mediation and Conciliation Centre of this Court (Annexure P-5).

2. This Court, vide order dated 03.10.2024, had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, the parties have appeared before the



basis of the statements so recorded, the learned Magistrate has submitted report dated 22.10.2024 with the following observations:-

- “1. As per the statements of the parties, the compromise has been arrived at between them with their free consent and without any pressure of any kind.*
- 2. As per the statement of the Investigating Officer, there is only one complainant and one accused in the present FIR.*
- 3. As per the statement of the Investigating Officer, the accused and the complainant have not been declared as Proclaimed Offender.*
- 4. As per the statements of the parties, the compromise appears to have been entered into voluntarily, without any pressure or inducement and no such material is available on record, which can reflect that the compromise has been effected under fear, threat, pressure or coercion.*
- 5. No P.O. proceedings are pending against the parties.”*

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in “**Kulwinder Singh and others Versus State of Punjab and another 2007**” (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in “**Gian Singh Versus State of Punjab and others**” (2012) 10 SCC 303, the present petition is allowed. FIR No.237 dated 25.12.2023, under Sections 498-A, 406, 323, 354-A read with Section 34 IPC, 1860, registered at Police Station Women West, Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom, are ordered to be quashed qua the petitioners.

7. However, the respondent No.2 and the State shall be at liberty to seek



deed dated joint statement of the parties (Annexure P-2) and settlement agreement (Annexure P-5) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

04th November 2024
simran

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>