



CRM-M-27307-2024 (O&M)

- 1 -

306 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-27307-2024 (O&M)
DATE OF DECISION : 26.09.2024

ANKIT SEHGAL

... PETITIONER

V/S

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Arshdeep Singh Cheema, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Sachin Jain, Advocate for respondent Nos.2&3.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 114, dated 20.05.2023, registered at Police Station Sushantlok, District Gurugram, under Sections 354-B, 376 and 509 of the IPC (Sections 354-B and 376 IPC were deleted and Section 354-A IPC was added later on), and all other consequential proceedings arising therefrom, on the basis of a compromise deed, dated 25.04.2024 (Annexure P-4) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered on account of matrimonial dispute between the petitioner and daughter of respondent No. 2-complainant. A compromise deed dated 25.04.2024 (Annexure P-4) has been executed between the parties. The

**CRM-M-27307-2024 (O&M)****- 2 -**

petitioner and daughter of respondent No. 2-complainant have also effected a compromise deed separately dated 03.04.2024 (Annexure P-3). As such, respondent No.2 does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent Nos. 2 & 3 has confirmed the factum of compromise between the parties.

[4] On 15.07.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 20.09.2024, received from the learned Civil Judge (JD)/JMJC, Gurugram, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as "Proclaimed Offender". As per the statement of Investigating Officer, Sections 354-B and 376 IPC were deleted and Section 354-A was added.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] The private dispute between the parties stands settled. Keeping in view the fact that the compromise between the parties is genuine and voluntarily made 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

**CRM-M-27307-2024 (O&M)****- 3 -**

between the parties.

[8] Consequently, this petition is allowed and FIR No. 114, dated 20.05.2023, registered at Police Station Sushantlok, District Gurugram, under Sections 354-B, 376 and 509 of the IPC (Sections 354-B and 376 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 petitioner.

[9] However, respondent Nos. 2&3 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise are violated.

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

26.09.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*