

CRM-M-31277-2024
Date of decision: 05.08.2024

...PETITIONER

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

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

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Sukhdev Singh, Advocate for
Mr. Harkirat Singh, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0068 dated 08.02.2024 under Sections 354-D/376/506 of IPC registered at Police Station Industrial Sector 29, Panipat, District Panipat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 30.05.2024 (Annexure P-2).
2. The following order was passed on 04.07.2024 :-

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0068 dated 08.02.2024 under Sections 354-D/376/506 of IPC registered at Police Station Industrial Sector 29, Panipat, District Panipat (Annexure P-1) along with all subsequent proceedings arising out of the same on the basis of compromise dated 30.05.2024 (Annexure P-2).

Learned counsel for the petitioner inter alia contends that the FIR (supra) was lodged on the complaint of respondent No.2. He further submits that the petitioner and respondent No.2 have performed marriage with each other and now cohabiting together



as husband and wife and are leading a happy married life and compromised the matter and for seeking quashing of FIR (supra) on the basis of compromise, reliance has been placed upon the judgment of the Hon'ble Supreme Court passed in 'K. Dhandapani Vs. The State by The Inspector of Police' 2022 SCC Online SC 1056 and full Bench judgment of the Delhi High Court passed in 'Lajja Devi Vs. State' 2012 (4) CCR 72.

Notice of motion for 05.08.2024.

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. Harkirat Singh, 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. 05.08.2024.

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 (Crl.) 1052, this petition



is allowed and FIR No.0068 dated 08.02.2024 under Sections 354-D/376/506 of IPC registered at Police Station Industrial Sector 29, Panipat, District Panipat (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

August 05, 2024
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(HARPREET SINGH BRAR)
JUDGE

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