



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

277

CRM-M-31698-2024 (O&M)
Date of decision: 11.11.2024

OM PRAKASH AND ANR

...Petitioners

Versus

STATE OF HARYANA AND ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Sushil Kumar Verma, Advocate
for the petitioners.

Mr. Amrik Singh Narwal, DAG, Haryana.

Mr. Vrishketu, Advocate with
Mr. Piyush Mittal, Advocate and
Ms. Upasna Gandhi, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.138 dated 06.05.2019, under Sections 323, 34, 406, 498-A, 506 IPC registered at Police Station Civil Line, Sirsa (Annexure P-1), on the basis of compromise deed dated 07.06.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between parties. He further contends that the matter has been settled between the



parties and compromise deed dated 07.06.2024 (Annexure P-2) has been executed between them, as such, respondent No.2 does not want to take any action in the FIR.

[3] Learned counsel for respondent No.2 confirms about the factum of compromise between the parties.

[4] Reply dated 12.08.2024 by way of an affidavit of Subhash Chand, HPS, Deputy Superintendent of Police, HQ, Sirsa, District Sirsa filed on behalf of the respondent-State is taken on record.

[5] Learned State counsel has not raised any objection regarding the acceptance of the present petition. By referring to the said reply, learned State counsel submits that Sumit Verma (husband of respondent No.2) had died on 06.02.2019 prior to the registration of the FIR and only 3 persons were named as an accused in the FIR i.e. Om Parkash Verma (father-in-law), Suman Verma (mother-in-law) and Amit Verma (brother-in-law) of respondent No.2. Amit Verma (brother-in-law) was declared innocent during the investigation and challan/final report under Section 173 Cr.P.C. was presented only against petitioners No.1 and 2.

[6] On 08.07.2024 and 14.08.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[7] As per the report dated 21.10.2024 received from Additional Chief Judicial Magistrate, Sirsa forwarded through the office of District and Sessions Judge, Sirsa, statement of the complainant/respondent No.2 has been recorded, who is stated to have effected compromise with Om Parkash Verma and Suman Verma and she does not want to take any action in the present FIR. The



compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

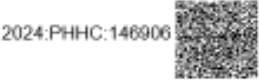
[8] Learned counsel for the parties have stated that accused-Amit Verma has not died, however, he was declared innocent and this fact has been inadvertently stated by PS Nitin, SHO, Police Station Civil Line, Sirsa, as such, the same was forwarded by the Additional Chief Judicial Magistrate in writing in report dated 21.10.2024.

[9] From the facts on record, it transpires that the FIR was lodged at the instance of respondent No.2. The husband of the respondent No.2 has expired. The petitioners No.1 and 2 are father-in-law and mother-in-law respectively of the respondent No.2 and matter stands compromised between the parties.

[10] 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 between the parties.

[11] Consequently, this petition is allowed and FIR No.138 dated 06.05.2019, under Sections 323, 34, 406, 498-A, 506 IPC registered at Police Station Civil Line, Sirsa (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

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



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

(HARPREET KAUR JEEWAN)
JUDGE

11.11.2024
P.Bhatt

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