

CRM-M-33133-2024

2024:PHHC:107368



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

282

CRM-M-33133-2024 (O&M)

Date of decision: August 20, 2024

ANSHUL AND OTHERS

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. Ashish Kaushik, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing FIR No.189 dated 07.04.2021 under Sections 498-A/406/377 of IPC registered at Police Station Sampla District Rohtak (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of settlement dated 14.09.2023 (Annexure P-2).

2. The following order was passed on 15.07.2024

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.189 dated 07.04.2021 under Sections 498-A/406/377 of IPC registered at Police Station Sampla District Rohtak (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of settlement dated 14.09.2023 (Annexure P-2).



Learned counsel for the petitioner inter alia contends that the dispute arisen between the parties is due to normal wear and tear of their matrimonial life and it is purely civil in nature and now the matter has been compromised between the parties.

Notice of motion for 20.08.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG,Haryana accepts notice on behalf of respondent No.1-State. Copy of the paperbook be supplied to her during the course of day.

Learned counsel for the petitioner undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.

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. 20.08.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

2. Vide order dated 07.08.2024, one more opportunity was granted to the petitioners to record their statement in terms of order dated 15.7.2024 before the Illaq Magistrate/trial Court.



3. In compliance of the aforesaid orders, 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.189 dated 07.04.2021 under Sections 498-A/406/377 of IPC registered at Police Station Sampla District Rohtak (Annexure P-1) along with all subsequent proceedings arising of the same are quashed, qua the petitioners.

August 20, 2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable:	No