



Sr. No.294

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

CRM-M-34579-2024
Date of decision: 04th September 2024

HARSHIT GUPTAPetitioner

versus

STATE OF HARYANA AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Yashveer Kharb, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

Mr. Vishal Yadav, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No.629 dated 15.10.2022, under Sections 323, 406, 498-A, 506, 34 IPC, 1860 (Section 34 IPC deleted later on), registered at Police Station Industrial Sector-29, Panipat, District Panipat (Annexure P-1), on the basis of compromise.
2. It is contended on behalf of the petitioner that both the parties have filed a joint petition dated 01.07.2024 on the basis of the said compromise, under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P-2).
3. This Court, vide order dated 22.07.2024, 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.



4. Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate Ist Class, Panipat and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 16.08.2024 with the following observations:-

“xxx xxx xxx xxx

I) The compromise is genuine and the same has been executed voluntarily and out of free will by the parties.

II) Injured/aggrieved person namely Sakshi (complainant) and accused Harish are party to the compromise.

III) During investigation, no any additional accused has been added in the present FIR.

IV) No accused is absconding/proclaimed person in this case.

V) During investigation, no any offence was added rather Section 34 IPC was deleted after the registration of the FIR.

VI) No investigation is pending against the accused Harish and accused persons namely Lata Gupta & Narender Gupta have been declared as innocent.

xxx xxx xxx xxx”

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

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

7. 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 and FIR No.629 dated 15.10.2022, under Sections 323, 406, 498-A, 506,



34 IPC, 1860 (Section 34 IPC deleted later on), registered at Police Station Industrial Sector-29, Panipat, District Panipat (Annexure P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioner.

8. However, the respondent No.2/complainant and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise/joint petition under Section 13-B of the Hindu Marriage Act, 1955 dated 01.07.2024 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

04th September 2024
simran

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