



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

278

CRM-M-36142-2019 (O&M)
Date of decision: 13.11.2024

PANKAJ GOYAL

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Deepak Gupta, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.362 dated 13.04.2015, under Sections 498-A, 323, 406, 34 IPC registered at Police Station City Hisar, Hissar (Annexure P-1), on the basis of compromise (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner 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 (Annexure P-2) has been executed between them. The marriage of the petitioner-husband and respondent No.2-wife has already been dissolved by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955 vide judgment and decree dated 20.07.2019 (Annexured P-3), as such, respondent No.2 does not want to take any action in the FIR.



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[3] Mr. Sahil Gupta, Advocate has put in appearance on behalf of respondent No.2 and filed his power of attorney, which is taken on record. He confirms about the factum of compromise between the parties.

[4] On 18.04.2022, 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 21.11.2022 received from Judicial Magistrate 1st Class, Hisar forwarded through the office of District and Sessions Judge, Hisar, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'Proclaimed offender'.

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

[7] The matrimonial dispute between the parties stands resolved. In view of the above, no useful purpose would be served to continue with the prosecution of the petitioners in the present FIR.

[8] 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.

[9] Consequently, this petition is allowed and FIR No.362 dated 13.04.2015, under Sections 498-A, 323, 406, 34 IPC registered at Police Station



City Hisar, Hissar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[10] 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.

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

(HARPREET KAUR JEEWAN)
JUDGE

13.11.2024
P.Bhatt

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