

CRM-M-38485-2024
Date of decision: 09.09.2024

...PETITIONERS

...RESPONDENTS

MANISHA
2024.09.10 16:34
I attest to the accuracy and
authenticity of this
order/judgment



subsequent proceedings arising therefrom on the basis of compromise dated 10.05.2024 (Annexure P-4).

*Learned counsel for the petitioners, inter alia, contends that FIR (supra) was registered due to matrimonial discord between petitioner No.1 and respondent No.2. The dispute between the parties is purely private in nature. Now respondent No.2 has effected a compromise with the petitioners and they have settled the dispute amicably. Learned counsel for the petitioners relies upon a judgment of the Hon'ble Supreme Court in **Kapil Gupta Vs. State of N.C.T. of Delhi and another, 2022 (4) RCR (Cr.) 497**, to contend that FIR under Section 376 of IPC can be quashed on the basis of compromise. Learned counsel has further relied upon a judgment of this Court in **Karan Sharma Vs. State of Haryana and another, 2021(1) Law Herald 149** and contends that once the parties have compromised the matter and decided to live in peace, no useful purpose will be served in allowing the criminal proceedings to continue.*

Notice of motion for 09.09.2024.

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

Learned counsel for the petitioners undertakes to secure presence of respondent No.2 at the time of recording the statement.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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.

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

4. 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.



5. 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.25 dated 21.03.2023 under Sections 34, 313, 323, 328, 376, 377, 498-A, 506, 511 of IPC and Section 406 of IPC (added later on), registered at Police Station Women Central, District Faridabad (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

September 09, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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