



Divorce. It is submitted that the allegations made in the FIR to the effect that the petitioner had beaten up the respondents No.3 and 4 who are brother and sister of the complainant respectively are false and fabricated. Even the allegation that the petitioner had hold the complainant from her hair on her activa scooter, slapped her and scuffled with the respondents are false and fabricated. In any event, now in order to live peacefully, the parties have entered into compromise which is in the shape of affidavits dated 12.7.2024 and 03.8.2024 (Annexures P-4 and P-6) respectively, to which, both the parties have agreed not to proceed further with the FIR in question. Further, it is submitted that initially, two persons were named in the FIR, however, during investigation one out of them have been exonerated and the challan has been filed only against the present petitioner only. It is further submitted that the petitioner has never been declared as proclaimed offender.

Notice of motion.

On the asking of Court, Mr. Surinder Kumar Dagar, DAG, Haryana, accepts notice on behalf of respondent No.1-State; whereas Mr. Vishal Yadav, Advocate, who is present in Court accepts notice on behalf of respondents No.2 to 4 and submits Vakalatnama, which is taken on record.

Learned counsel for respondent No.1-State as well as learned counsel for respondents No.2 to 4 have not disputed the aforesaid submissions made by learned counsel for the petitioner. The factum of compromise effected between the parties has not been disputed by learned counsel for the respondents No.2 to 4.

In view of the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statements with regard to the compromise which is in the shape of affidavits dated 12.7.2024 and 03.8.2024 (Annexures P-4 and P-6) respectively, on 23.8.2024 or any other date convenient to the learned trial Court/Illaq Magistrate, by moving an appropriate application or by presenting this order.

The trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing i.e. 22.11.2024 containing the following information:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is a proclaimed offender;*



- 3. *Whether the compromise is genuine, voluntary and without any coercion or undue influence;*
- 4. *Whether the accused persons are involved in any other FIR or not; and*
- 5. *The trial Court is also directed to record the statement of the Investigating Officer so as to know how many victims/complainants are there in the FIR and all the victims/complainant as well as accused are party to the compromise in question.*

A copy of the report be sent through FAX, to the Registrar (Judicial) of this Court.”

3. 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.
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.0679 dated 25.9.2021 under Sections 323, 34, 354 and 506 IPC (Section 34 IPC deleted later on), registered at Police Station Old Industrial Panipat, District Panipat (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

November 22, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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