



249 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-43092-2024 (O&M)
Date of Decision: 03.10.2024

ASHISH AND ANOTHER

...Petitioner

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Deepam Raghav, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Rahul Rana, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.103 dated 13.03.2020 under Sections 323, 34, 354, 354-C, 377, 406, 498-A, 506 of Indian Penal Code (Sections 354, 354-C, 377 of IPC deleted later on), registered at Police Station Kharkhoda, District Sonipat (Annexure P-3) and all the subsequent proceedings arising therefrom on the basis of decree of divorce by way of mutual consent/compromise dated 16.11.2022 (Annexure P-6).

2. The following order was passed on 03.09.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.103 dated 13.03.2020 under Sections 323, 34, 354, 354-C, 377, 406, 498-A, 506 of IPC (Sections 354, 354-C, 377 of IPC added later on), registered at Police Station Kharkhoda, District Sonipat (Annexure P-3) and all the subsequent proceedings arising therefrom on the basis of decree of divorce by way of mutual consent/compromise dated 16.11.2022 (Annexure P-6).



CRM-M-43092-2024 (O&M)

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Notice of motion for 03.10.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Vikram Rana, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance, which is taken on record. He undertakes to file Vakalatnama in the Registry on or before the next date of hearing. Copy of the paper book be supplied to them during the course of day.

Service is complete.

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.

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

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.103 dated 13.03.2020 under Sections 323, 34, 354, 354-C, 377, 406, 498-A, 506 of Indian Penal Code (Sections 354, 354-C, 377 of IPC

deleted later on), registered at Police Station Kharkhoda, District Sonipat (Annexure P-3) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

03.10.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

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