



CRM-M-44120-2024 (O&M)

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232 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44120-2024 (O&M)
Date of decision: 16.10.2024

RAVI

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Nafees Ahmed, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Sanawar Ali, 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.8 dated 08.01.2022 under Sections 376(2)(n)/506 of IPC registered at Police Station Sector 58, Faridabad, District Faridabad, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 13.08.2024 (Annexure P-3).

2. The following order was passed on 06.09.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.8 dated 08.01.2022 under Sections 376(2)(n)/506 of IPC registered at Police Station Sector 58, Faridabad, District Faridabad, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 13.08.2024 (Annexure P-3).

Learned counsel for the petitioner inter alia contends that petitioner and respondent No.2 are husband and wife and the FIR (supra) was lodged due to the matrimonial dispute between them. The complainant/respondent No.2 has made a complaint on the basis of which the FIR (supra) got registered. He further submits



that the parties are now happily living together and are ready and willing to record their statements for quashing of FIR (supra) on the basis of compromise. He further relies upon the judgment of the Hon'ble Supreme Court in 'Kapil Gupta Vs. State of NCT of Delhi and others' 2022 (4) RCR (Criminal) 497.

Notice of motion for 16.10.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Aazam Khan, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. 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.8 dated 08.01.2022 under Sections

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376(2)(n)/506 of IPC registered at Police Station Sector 58, Faridabad, District Faridabad, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

October 16, 2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

(i)

Whether speaking/reasoned

Yes/No

(ii)

Whether reportable

Yes/No