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272 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43505-2024 (O&M)
Date of Decision: 28.10.2024

MANJEET ... PETITIONER
V/S
STATE OF HARYANA AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Lekh Raj Nandal, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, DAG Haryana.

Mr. Manoj Makkar, Advocate, for respondent No. 2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing of FIR No.46 dated 12.03.2023, under Sections 406, 498-A read with Section 34 IPC, 1860 (Section 34 IPC deleted later on), registered at Women Police Station Rohtak, on the basis of a compromise deed dated 26.08.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No. 2 due to matrimonial dispute, which stands resolved now. The petitioner and respondent No.2 are living together happily.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties.

[4] On 04.09.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the



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compromise.

[5] As per the report dated 03.10.2024, received from the learned Judicial Magistrate First Class, Rohtak the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case. All other persons named in the FIR, except the present petitioner, have been declared as innocent during the investigation.

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

[7] The matrimonial dispute between the parties stands settled. 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.

[8] Consequently, this petition is allowed and FIR No. 46 dated 12.03.2023, under Sections 406, 498-A read with Section 34 IPC, 1860 (Section 34 IPC deleted later on), registered at Women Police Station Rohtak and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, respondent No.2 and the State shall be at liberty to



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seek cancellation of this order, in case the final terms and conditions of compromise are violated.

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

28.10.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No