



238 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43787-2024 (O&M)
Date of decision: 14.10.2024

MOHAMMED SADIQ ANEESH AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Raghav Chabbra, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Rahul Noorie, 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.29 dated 13.09.2021 under Sections 498-A, 323, 506, 376, 377, 354-A, 34, 120-B of IPC and Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019 registered at Women Police Station Mewat, District Nuh (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2024 (Annexure P-2).

2. The following order was passed on 05.09.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.29 dated 13.09.2021 under Sections 498-A, 323, 506, 376, 377, 354-A, 34, 120-B of IPC and Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019, registered at Women Police Station Mewat, District Nuh (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2024 (Annexure P-2).

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 and petitioner No.1 and respondent No.2 are cohabiting together as husband and wife.

Notice of motion for 14.10.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Rahul Noorie, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. 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 above 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.29 dated 13.09.2021 under Sections 498-A, 323, 506, 376, 377, 354-A, 34, 120-B of IPC and Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019 registered at Women Police

Station Mewat, District Nuh (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

October 14, 2024

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(i)

Whether speaking/reasoned

Yes/No

(ii)

Whether reportable

Yes/No

(HARPREET SINGH BRAR)

JUDGE