

CRM-M-43592-2024
Date of decision: 14.10.2024

...PETITIONERS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

Present: Mr. Gaurav Singla, Advocate for the petitioners.
Mr. Vikas Bhardwaj, AAG, Haryana.
Mr. Gaurav Gupta, Advocate for respondent No.2.

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0352 dated 16.06.2023 under Sections 323/34/406/498-A/506 of IPC registered at Pataudi Police Station, District Gurugram, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise and joint petition under Section 13-B of the Hindu Marriage Act for mutual decree of divorce (Annexure P-2).

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0352 dated 16.06.2023 under Sections 323/34/406/498-A/506 of IPC registered at Pataudi Police Station, District Gurugram, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise and joint petition under Section 13-B of the Hindu Marriage Act for mutual decree of divorce (Annexure P-2).

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. Gaurav Gupta, Advocate accepts notice for respondent No.2 and files his memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them



during the course of day. Learned counsel for respondent No.2 is directed to file his power of attorney on or before the next date of hearing.

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.0352 dated 16.06.2023 under Sections 323/34/406/498-A/506 of IPC registered at Pataudi Police Station, District Gurugram, Haryana (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

October 14, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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