



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

286

CRM-M-47617-2023 (O&M)  
Date of decision: 05.11.2024

CHHUTTAN KHA AND ANR

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Sushil Kumar Verma, Advocate and  
Mr. Rajat Verma, Advocate  
for the petitioners.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

Mr. Satbir Singh Gill, Advocate  
for respondent No.2.  
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HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.16 dated 18.02.2020, under Sections 120-B, 354, 384, 388, 389, 499 and 500 IPC and Section 67 of the Information Technology (Amendment) Act, 2008 registered at Women Police Station Sirsa, District Sirsa (Annexure P-1), on the basis of compromise deed dated 22.08.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2 on account of a misunderstanding between parties. Learned counsel submits that there are three accused named in the FIR namely Chhuttan Kha, Sabir Ali and Naveen Hussain, however, the present petition has been filed on behalf of the two accused/petitioners namely Chhuttan Kha and Sabir Ali. He further submits that quashing petition bearing

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No.CRM-M-12715-2024 titled Naveen Hussain vs. State of Haryana and another for the above-mentioned FIR No.16 dated 18.02.2020 has already been filed on behalf of the third accused namely Naveen Hussain, which is pending for consideration. He further contends that the matter has been settled between the parties and compromise deed dated 22.08.2023 (Annexure P-2) has been executed between them, as such, respondent No.2 does not want to take any action in the FIR.

[3] Learned counsel for respondent No.2 confirms about the factum of compromise between the parties.

[4] On 21.09.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 20.10.2023 received from Judicial Magistrate 1st Class, Sirsa forwarded through the office of District and Sessions Judge, Sirsa, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition. While referring to the status report dated 05.03.2024, learned State counsel has informed that petitioner No.1-accused is involved in another case bearing FIR No.296 dated 12.10.2021 registered under Sections 498-A, 406, 323 IPC at Women Police Station, Hanumangarh Junction.

[7] Both the learned counsel for the petitioners as well as respondent No.2 are *ad idem* that the said FIR pertains to matrimonial dispute and even a compromise has been effected in the said case/FIR. Both the learned counsel for the parties have informed that after solemnization of the marriage, both the parties



have again separated and there is no dispute *inter se* them.

[8] 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.

[9] Consequently, this petition is allowed and FIR No.16 dated 18.02.2020, under Sections 120-B, 354, 384, 388, 389, 499 and 500 IPC and Section 67 of the Information Technology (Amendment) Act, 2008 registered at Women Police Station Sirsa, District Sirsa (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[10] Registry is directed to list the petition bearing No.CRM-M-12715-2024 for quashing of afore-mentioned FIR No.16 dated 18.02.2020, filed on behalf of accused No.3-Naveen Hussain, after informing learned counsel for the parties.

[11] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN )  
JUDGE

05.11.2024

P.Bhatt

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No