

Sr. No.306

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-48187-2023
Date of decision: 09th May, 2024**

VARUN KANOJIA AND OTHERS**Petitioners**

versus

STATE OF HARYANA AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Harender, Advocate for
Mr. Amit Dhawan, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Ms. Nancy, Advocate for
Mr. Abhimanu Vinayak, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.103 dated 05.09.2020, under Sections 323, 406, 498-A, 506 read with Section 34 IPC, 1860, registered at Police Station Women, Police Station Hissar, District Hissar (Annexure P-1), on the basis of compromise deed dated 22.08.2023 (Annexure P-3) executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 22.08.2023 (Annexure P-3), as per which, the parties have decided to part ways and a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955 has been filed

by them before the Family Court, Hissar, which has been allowed vide judgment and decree dated 22.08.2023 (Annexure P-2). Petitioner No.1-husband has paid a sum of Rs.7,00,000/- to respondent No.2-wife qua permanent alimony. Respondent No.2 does not want to pursue the FIR and she has no objection if the FIR is quashed.

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

[4] On 05.03.2024, 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 05.04.2024, received from the Additional Chief Judicial Magistrate, Hisar, through the District & Sessions Judge, Hisar, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender” and they are not involved in any other criminal case.

[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, the present petition is allowed and FIR No.103 dated 05.09.2020, under Sections 323, 406, 498-A, 506 read with Section 34 IPC, 1860,

registered at Police Station Women, Police Station Hissar, District Hissar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] 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 deed dated 22.08.2023 (Annexure P-3) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

09th May, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>