

Sr. No.306(02)
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50318-2022
Date of decision: 08th May, 2024

SUDHIR**Petitioner**

versus

STATE OF HARYANA AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Nikhil Ghai, Advocate;
Mr. Ankit Kundu, Advocate;
Mr. Kuldeep Sheoran, Advocate and
Mr. Paras, Advocate, for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Mandeep Nehra, 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.130 dated 15.07.2022, under Sections 294, 354-A, 354-D, 506, 34 IPC, 1860 (Sections 167, 475, 466, 469, 471, 120-B IPC and Section 72-A of I.T. Act, added later on), registered at Women Police Station, Jind, District Jind (Annexure P-1), on the basis of compromise deed dated 27.10.2022 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of a misunderstanding. However, the matter has now been amicably settled and the parties have executed compromise deed dated 27.10.2022 (Annexure P-2). 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 20.01.2024, 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 02.03.2024, received from the Judicial Magistrate, Ist Class, Jind, through the District & Sessions Judge, Jind, 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.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition. Learned State counsel, while referring to the status report dated 01.04.2024, filed by way of affidavit of Ms. Geetika Jakhar, Deputy Superintendent of Police, Jind - Women Safety, District Jind, submits that statement of respondent No.2-complainant under Section 164 Cr.P.C. was recorded on 16.07.2022 and on the same day, her statement was also recorded by the Judicial Magistrate First Class, Jind, wherein, she stated that the complaint was got registered by her due to some confusion and further requested for not taking action in the matter.

[7] The 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

[8] Consequently, the present petition is allowed and FIR No.130 dated 15.07.2022, under Sections 294, 354-A, 354-D, 506, 34 IPC, 1860 (Sections 167, 475, 466, 469, 471, 120-B IPC and Section 72-A of I.T. Act, added later on), registered at Women Police Station, Jind, District Jind (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[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 27.10.2022 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

08th May, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>