



CRM-M-48858-2023 - 1 -

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

322

CRM-M-48858-2023
Date of Decision: 27.05.2024

ASHWANI SHARMA

... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Pranav Chamoli, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Davinder Kumar, Advocate, for respondent No. 2.

* * *

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0016 dated 30.01.2022 under Sections 323, 354, 406, 498-A and 506 IPC registered at Police Station Women, District Yamuna Nagar (Haryana) and all consequential proceedings arising therefrom on the basis of the compromise/petition for mutual divorce dated 10.10.2022 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No. 2 due to matrimonial dispute, which stands resolved now. The parties have filed a joint petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent.

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



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[4] On 13.03.2024, 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 15.05.2024 received from the learned Judicial Magistrate First Class, Jagadhri 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".

[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, this petition is allowed and FIR No.0016 dated 30.01.2022 under Sections 323, 354, 406, 498-A and 506 IPC registered at Police Station Women, District Yamuna Nagar (Haryana) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, 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 dated 10.10.2022 are violated.



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

27.05.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No