247 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-46831-2024
Date of decision: 24.10.2024

KARAN SHARMA

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Shivangi Sharma, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Arun Singhal, Advocate for respondent No.2.

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HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.89 dated 06.12.2022 under Sections 323, 406, 498-A, 506, 34 of IPC, registered at Women Police Station Gurgaon (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of judgment/decree dated 13.02.2024 passed by learned Additional Principal Judge, Family Court, Gurugram (Annexure P-3), vide which marriage between the petitioner and respondent No.2 was dissolved by way of mutual consent.

2. The following order was passed on 19.09.2024 :-

> *"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.89 dated 06.12.2022 under Sections 323, 406, 498-A, 506, 34 of IPC, registered at Women Police Station Gurgaon (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of judgment/decree dated 13.02.2024 passed by learned Additional Principal Judge, Family Court, Gurugram (Annexure P-3), vide which marriage between the petitioner and respondent No.2 was dissolved by way of mutual consent.*
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> *Notice of motion for 24.10.2024.*
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> *At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State*

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and Mr. Arun Kumar Singhal, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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/Illaqa 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.89 dated 06.12.2022 under Sections 323, 406, 498-A, 506, 34 of IPC, registered at Women Police Station Gurgaon (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

October 24, 2024
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(i) Whether speaking/reasoned Yes/No

(ii) Whether reportable Yes/No

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