



CRM-M-48325-2024 (O&M) - 1 -

291 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48325-2024 (O&M)
Date of Decision: 28.11.2024

ANKIT GADODIA

... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Anoop Kumar Yadav, Advocate for the petitioner.

Mr. Deepak Kumar Grewal, DAG Haryana.

Mr. Rahul Verma, Advocate, for respondent No. 2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 008 dated 20.01.2023 registered at Police Station Women, District Gurugram under Sections 323, 406, 498-A, 506 IPC, on the basis of compromise/settlement dated 23.08.2024 (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 on account of a matrimonial dispute between the petitioner and respondent No.2. The said dispute has now been amicably settled between the parties. The parties have mutually agreed to part ways by getting a decree of divorce under Section 13-B of the Hindu Marriage Act.

[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 26.09.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] Learned State counsel has informed that offence under Sections 377, 354 and 34 IPC have been dropped during the investigation.

[6] As per the report of learned Judicial Magistrate First Class, Gurugram dated 29.10.2024, the statement of the complainant has been recorded who has testified that the matter stands resolved by way of compromise/Settlement Deed dated 23.08.2024. 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".

[7] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[8] 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.

[9] Consequently, this petition is allowed and FIR No. 008 dated 20.01.2023 registered at Police Station Women, District Gurugram under Sections 323, 406, 498-A, 506 IPC and all the subsequent proceedings

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emanating therefrom are ordered to be quashed, qua the petitioner.

[10] 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 are violated.

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

28.11.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No