

CRM-18206-2024 IN/&
CRM-M-57255-2023 (O&M) - 1 - 2024 : PHHC : 057434

**127+264 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-18206-2024 IN/&
CRM-M-57255-2023 (O&M)
Date of Decision: 26.04.2024**

SOURABH MALIK **... PETITIONER**

V/S

STATE OF HARYANA AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amit Arora, Advocate, for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Abhimanyu Singh, Advocate for respondent No. 2.

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HARPREET KAUR JEEWAN, J. (ORAL)

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[1] This is an application for placing on record the copy of decree of divorce dated 16.01.2024 in compliance of the order dated 18.04.2024.

The same is allowed to be taken on record.

[2] Registry is directed to tag the same at the appropriate place.

[3] Disposed of.

Main case

[4] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.718 dated 31.12.2021, registered at Police Station Bhiwani City, District Bhiwani, under Sections 323, 34, 377, 406, 498-A, 506 of the IPC, on the basis of compromise deed dated 19.10.2023

(Annexure P-2) executed between the parties.

[5] Learned counsel for the petitioner *inter alia* contends that the FIR was got registered by respondent No.2 on account of the matrimonial dispute between petitioner and respondent No.2, which stands resolved now. The marriage of the petitioner and respondent No.2 has been dissolved by a decree of divorce by mutual consent under Section 13-B of Hindu Marriage Act in terms of the judgment and decree dated 16.01.2024 passed by the learned Principle Judge, Family Court, Bhiwani.

[6] Mr. Abhimanyu Singh, Advocate has filed power of attorney on behalf of respondent No.2 and has confirmed the factum of compromise between the parties.

[7] On 30.11.2023, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the compromise.

[8] As per the report dated 09.01.2024, received from the learned Chief Judicial Magistrate, Bhiwani 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". During the investigation offence under Section 377 IPC was deleted.

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

[10] 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**

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(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.

[11] Consequently, this petition is allowed and FIR No. 718 dated

31.12.2021, registered at Police Station Bhiwani City, District Bhiwani,

under Sections 323, 34, 377, 406, 498-A, 506 of the IPC and all the

subsequent proceedings emanating therefrom are ordered to be quashed, qua

the petitioner.

[12] 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 19.10.2023 are violated.

[13] Pending miscellaneous application(s), if any, shall also stand

disposed of.

26.04.2024

Janki

(HARPREET KAUR JEEWAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No