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300 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57755-2023 (O&M)
DATE OF DECISION : 19.09.2024

MEENA ALIAS MEENA DEVI ... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Mahir Sood, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Ashutosh Gupta, 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.172 dated 28.11.2018 registered at Police Station Women, District Gurugram under Sections 323, 498-A, 406, 34 IPC, on the basis of Memorandum of Understanding dated 06.11.2023 (Annexure P-8) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered due to a matrimonial dispute between the son of the petitioner (Narinder Yadav) and respondent No.2 and now the matter has been resolved between the parties. The son of the petitioner and respondent No.2 have filed a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage and a decree of divorce dated 05.05.2022 has been

granted by the Family Court, Gurugram. A Memorandum of Understanding



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dated 06.11.2023 (Annexure P-8) has been executed by the petitioner and respondent No.2. Learned counsel for the petitioner further informs that the present FIR and the subsequent proceedings against co-accused Narinder Yadav have already been quashed vide order dated 28.03.2023 (Annexure P-6) by the Co-Ordinate Bench of this Court.

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

[4] On 17.11.2023, 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 30.07.2024, received from the learned Judicial Magistrate First Class, Gurugram, charge-sheet was filed only against two accused i.e. present petitioner Meena @ Meena Devi and co-accused Narinder Yadav. 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 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,**

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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. 172 dated 28.11.2018 registered at Police Station Women, District Gurugram under Sections 323, 498-A, 406, 34 IPC 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 are violated.

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

19.09.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

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