

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

307

CRM-M-58591-2023 (O&M)
Date of decision: 09.04.2024

SAJAN @ SAJAN SHARMA AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Himanshu Joshi, Advocate for
Ms. Pallavi Babbar, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Sahil Singh, Advocate for
Mr. Kushager Goyal, Advocate for respondent No.2.

HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.11 dated 26.01.2023, under Sections 406 and 498-A IPC registered at Women Police Station Karnal, District Karnal (Annexure P-1), on the basis of compromise dated 10.11.2023 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between the parties. He further contends that the matter has been settled between the petitioners and respondent No.2 and compromise (Annexure P-2) has

been executed between them. He submits that the FIR was registered on account of some misunderstanding between the parties, which has now been resolved and the parties are now living together, as such, respondent No.2 does not want to take any action in the present FIR.

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

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

[5] On 22.11.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 25.01.2024 received from the Judicial Magistrate 1st Class, Karnal through the District & Sessions Judge, Karnal, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as 'Proclaimed Offenders'.

[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.11 dated

26.01.2023, under Sections 406 and 498-A IPC registered at Women Police Station Karnal, District Karnal (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the 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 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

09.04.2024

P.Bhatt

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No