

284 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58281-2023 (O&M)
Date of Decision: 22.04.2024

LAKSHAY JAIN

... PETITIONER

V/S

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Pankaj Maini, Advocate, for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana
for respondent Nos. 1 and 2.

Mr. M.K.Bhatnagar, Advocate for
Ms. Amarjeet Kaur, Advocate for respondent No. 3.

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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.64, dated 12.03.2021, registered at Police Station Industrial Area, District Bhiwani under Sections 323, 34, 406, 498-A and 506 of the IPC, on the basis of compromise deed dated 02.11.2023 (Annexure P-3) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered on account of matrimonial dispute between the petitioner and respondent No. 3 which stands resolved now. The petitioner No.1 and respondent No.3 have decided to part ways. They have filed a joint petition for divorce by mutual consent under Section 13-B of Hindu Marriage Act before the Family Court, Hansi. Respondent No.3 does not want to take

any action in the present FIR.

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

[4] On 22.11.2023, 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 29.01.2024, received from the learned Judicial Magistrate First Class, Bhiwani the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. There is no other case pending against the petitioner.

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

[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. 64 dated 12.03.2021, registered at Police Station Industrial Area, District Bhiwani under Sections 323, 34, 406, 498-A and 506 of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, respondent No.3 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 02.11.2023 are violated.

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

22.04.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

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