

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

298

CRM-M-58296-2023 (O&M)
Date of decision: 08.04.2024

GAGANDEEP GROVER

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Ketan Antil, Advocate for
Mr. Piyush Aggarwal, 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.6 dated 03.01.2019, under Sections 323, 34, 406, 498-A and 506 IPC registered at Police Station Sector 7, Faridabad (Annexure P-1), on the basis of compromise deed dated 26.09.2023 (Annexure P-2) arrived at 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 parties. He further contends that the matter has been settled between the petitioner-husband and respondent No.2-wife and compromise deed dated 26.09.2023 (Annexure P-2) has been executed between them. He submits

that petitioner-husband and respondent No.2-wife have filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955, which has already been allowed by the Family Court, Faridabad vide judgment and decree dated 03.04.2024, as such, respondent No.2 does not want to take any action in the present FIR. He further submits that as per the compromise, a sum of Rs.10 lakhs has already been paid to respondent No.2 for past, present and future permanent alimony as well as maintenance.

[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties as well as receipt of Rs.10 lakhs by the respondent No.2.

[4] On 07.12.2023, 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 24.01.2024, received from the Judicial Magistrate 1st Class, Faridabad through the District & Sessions Judge, Faridabad, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared "Proclaimed Offender".

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

[7] Since the matter has been settled between the parties and the parties have buried the hatchet and given quietus to the matter and keeping in view the facts and circumstances of the case and 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.6 dated 03.01.2019, under Sections 323, 34, 406, 498-A and 506 IPC registered at Police Station Sector 7, Faridabad (Annexure P-1), and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[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

08.04.2024
P.Bhatt

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