

283 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57979-2023 (O&M)
Date of Decision: 22.04.2024

SANDEEP MOYAL AND OTHERS ... PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Harsh Jain, Advocate for
Mr. Deepender Singh, Advocate for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Gitesh Sharma, Advocate for
Ms. Nidhi, Advocate for respondent No.2.

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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.889 dated 02.11.2019, under Sections 323, 354, 354-B, 377, 498-A, 506 IPC, registered at Police Station Bhiwani Sadar, District Bhiwani, Haryana on the basis of compromise deed dated 11.09.2023 (Annexure P-5) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered on account of matrimonial dispute between petitioner No.1 and respondent No. 2 which stands resolved now. The petitioner No.1 and respondent No.2 are happily living together and respondent No.2 does not want to take any action in the present FIR against the petitioners.

[3] Learned counsel appearing on behalf of respondent No. 2 has

confirmed the factum of compromise between the parties.

[4] On 12.12.2023, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 13.02.2024, 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. The petitioners have not been declared as “Proclaimed Offender”.

[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. 889 dated 02.11.2019, under Sections 323, 354, 354-B, 377, 498-A, 506 IPC, registered at Police Station Bhiwani Sadar, District Bhiwani, Haryana and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[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 dated 11.09.2023 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