



CRM-M-54966-2024 (O&M)

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234 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54966-2024 (O&M)

Date of Decision: 10.12.2024

FAIZAN AHMAD AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jamshed Ahmed, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Kulwinder Singh, Advocate for
Mr. Inderjeet Singh, Advocate for respondent No. 2.

Harpreet Singh Brar J.(Oral)

1. This petition has been filed under Section 528 Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.327 dated
24.09.2021 under Sections 3 and 4 of Muslim Women (Protection of Rights
on Marriage) Act, 2019 and Sections 323, 34, 406, 498-A and 506 of IPC
registered at Police Station S.G.M. Nagar (Sanjay Gandhi Memorial Nagar)
Faridabad, District Faridabad (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise dated 22.08.2024
(Annexure P-3).

2. The following order was passed on 06.11.2024:

*“This petition has been filed under Section
528 Bharatiya Nagarik Suraksha Sanhita, 2023 seeking
quashing of FIR No.327 dated 24.09.2021 under Sections 3
and 4 of Muslim Women (Protection of Rights on Marriage)
Act, 2019 and Sections 323, 34, 406, 498-A and 506 of IPC
registered at Police Station S.G.M. Nagar (Sanjay Gandhi
Memorial Nagar) Faridabad, District Faridabad*



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(Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.08.2024 (Annexure P-3).

Notice of motion.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Inderjeet Singh, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Adjourned to 10.12.2024.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 10.12.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon’ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs.**

State of Madhya Pradesh 2021 SCC OnLine SC 834 and Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63 and Full Bench of this Court in Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052, this petition is allowed and FIR No.327 dated 24.09.2021 under Sections 3 and 4 of Muslim Women (Protection of Rights on Marriage) Act, 2019 and Sections 323, 34, 406, 498-A and 506 of IPC registered at Police Station S.G.M. Nagar (Sanjay Gandhi Memorial Nagar) Faridabad, District Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)

JUDGE

10.12.2024

Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No