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238 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-55761-2024 (O&M)

Date of Decision: 12.12.2024

SANJAY@ SANJAY RATHI AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Pranshul Dhull, Advocate and
Mr. Punyoveer, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Abhishek Goel, Advocate for respondent No. 2.

HARPREET SINGH BRAR J.(ORAL)

1. This petition has been filed under Section 482 Cr.P.C./528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.10 dated 02.02.2023 under Sections 313/323/34/354/376/498-A/511 of IPC (Sections 313/354/376/511 of IPC stands deleted by the police) registered at Police Station Jhajjar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of memorandum of compromise dated 29.01.2024 (Annexure P-2).

2. The following order was passed on 11.11.2024:

“This petition has been filed under Section 482 Cr.P.C./528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.10 dated 02.02.2023 under Sections 313/323/34/354/376/498-A/511 of IPC (Sections 313/354/376/511 of IPC stands deleted by the police) registered at Police Station Jhajjar (Annexure P-1) along with all subsequent proceedings arising therefrom on



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the basis of memorandum of compromise dated 29.01.2024 (Annexure P-2).

Learned counsel for the petitioner submits that the FIR (supra) was registered due to matrimonial dispute between the parties and the dispute is purely private in nature.

Notice of motion for 12.12.2024.

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. Abhishek Goel, Advocate accepts notice for respondent No.2 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

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 their statements recorded 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.

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 (CrI.) 1052**, this petition is allowed and FIR No.10 dated 02.02.2023 under Sections 313/323/34/354/376/498-A/511 of IPC (Sections 313/354/376/511 of IPC stands deleted by the police) registered at Police Station Jhajjar (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

12.12.2024
Ajay Goswami

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