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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-59162-2024

Date of Decision: 17.12.2024

Janardhan Kurup and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Yashasvi A. Kumar, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Rishab Gupta, Advocate and
Mr. Manisha Gupta, Advocate
for respondent No.2-complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.351 dated 04.09.2022 under Sections 323/377/406/498-A of IPC registered at Police Station Sector 14, Panchkula (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 26.09.2024 (Annexure P-2).

2. The following order was passed on 29.11.2024:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0351 dated 04.09.2022 under Sections 323/377/406/498-A of IPC registered at Police Station Sector 14, Panchkula (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 26.09.2024 (Annexure P-2).

Learned counsel for the petitioners inter alia contends that there is a matrimonial dispute between the parties which is purely private in nature and the parties have amicably compromised the matter.

Learned counsel for both the parties submits that the petitioners as well as respondent No.2 are the residents of Kerala and Karnataka and they are not in a position to present physically before the learned trial Court/Illaq Magistrate to record their statements regarding compromise. Therefore, a request for recording statements of petitioners as well as respondent No.2 through video conferencing is made.

Notice of motion for 17.12.2024.

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. Rishabh Gupta, 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 one week 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.

In view of the above, the prayer made by counsel for both the parties is allowed. Petitioners as well as respondent No.2 are allowed to record their statements through video conference before the learned jurisdictional Magistrate.

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.351 dated 04.09.2022 under Sections 323/377/406/498-A of IPC registered at Police Station Sector 14, Panchkula (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

17.12.2024
Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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