

CRM-M-63008-2023 (O&M) - 1 -

2024 : PHHC : 038848

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63008-2023 (O&M)

Date of Decision: 18.03.2024

SAURABH SWAROOP GUPTA

... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Shiv Kumar Rana, Advocate for the petitioner.
Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.
Mr. Ashdeep Singh Brar, 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.48 dated 17.07.2021, under Sections 34, 406 and 498-A IPC, registered at Police Station Women, Fatehabad, District Fatehabad (Annexure P-1), on the basis of compromise dated 09.11.2023 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioner inter alia contends that the FIR in question was registered due to a matrimonial dispute. Now, the dispute has been settled and parties have started living together. Though there were four accused named in the FIR, but challan has been presented only qua the petitioner.

[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties.

[4] On 14.12.2023, 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 16.01.2024, received from learned

between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender”.

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

[7] Keeping in view the facts and circumstances of the case, 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. 48 dated 17.07.2021, under Sections 34, 406 and 498-A IPC, registered at Police Station Women, Fatehabad, District Fatehabad and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, respondent No.2-Dr. Pooja Bansal 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.

18.03.2024

Janki

(HARPREET KAUR JEEWAN)

JUDGE

Whether speaking/reasoned : Yes/No ;

Whether reportable : Yes/No