

300

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63917-2023(O&M)
Date of Decision: 29.04.2024

ANKUSH AND OTHERS

... PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Abhimanyu Batra, Advocate for the petitioners.
Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.
Ms. Yashasvi Kapila, Advocate for
Mr. Lokesh Vohra, 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.214, dated 24.11.2023, registered at Women Police Station, District Jind under Sections 323, 34, 354, 377, 406, 498-A and 506 IPC along with all the subsequent proceedings arising therefrom, on the basis of a compromise deed dated 12.12.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered due to matrimonial dispute between the parties and now the parties have effected compromise dated 12.12.2023 (Annexure P-2). He further contends that both the parties along with minor child are living together in matrimonial home and respondent No.2 does not want to take any action in the present FIR.

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

respondent No.2 does not want to take any action in the present FIR.

[4] On 16.01.2024, 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 22.02.2024, received from the learned Judicial Magistrate First Class, Jind, 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”. No other case is pending against the petitioners. During investigation, Sections 354 and 377 IPC were deleted.

[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. 214, dated 24.11.2023, registered at Women Police Station, District Jind under Sections 323, 34, 354, 377, 406, 498-A and 506 IPC 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 12.12.2023 are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

29.04.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No