

CRM-7976-2024 IN/AND
CRM-M-64271-2023 (O&M)
119+296 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:066462



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CRM-7976-2024 IN/AND
CRM-M-64271-2023 (O&M)
Date of Decision: 13.05.2024

AMIT @ RAJAT

.....PETITIONER

Vs.

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Kanwal Goyal, Advocate,
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, D.A.G., Haryana.

Mr. Simranjot Singh, Advocate, for
Mr. Govind Tanwar, Advocate,
for respondent No. 2.

HARPREET KAUR JEEWAN J. (ORAL)

CRM-7976-2024

1. The prayer in the present application filed under Section 482 Cr.P.C. is for granting one more opportunity to the parties to appear before the learned trial Court/Illaqu Magistrate, for recording of their statements, as directed by this Court, vide order dated 06.02.2024.
2. Since one more opportunity has already been granted by this Court for recording of the statements of the parties, vide order dated 04.04.2024 passed by this Bench and even the report of the learned trial Court after recording the statements of the parties have also been received, the present application has been rendered infructuous and is disposed of accordingly.



CRM-M-64271-2023

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 0083, dated 21.06.2019, under Sections 323, 376, 406, 498-A and 506 of the IPC (Section 376 IPC was deleted later on) registered at Women Police Station, District Karnal, (Annexure P-1), on the basis of compromise/settlement deed dated 16.11.2023 (Annexure P-5) arrived at between the parties.

[2] Counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No. 2-complainant who is the wife of the present petitioner. A compromise/settlement deed dated 16.11.2023 (Annexure P-5) has been executed between the parties. They have decided to live separately. A joint petition under Section 13-B of the Hindu Marriage Act, 1955, had already been filed before the learned Family Court, Karnal, in which, a decree of divorce has also been granted on 16.11.2023.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties. He submits that respondent No. 2-complainant has no objection if the present FIR against the present petitioner is quashed by this Court.

[4] On 23.01.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] In compliance of the aforesaid order, a report dated 25.04.2024, along with the original statements of the petitioner-Anil @ Rajat, respondent No. 2-complainant (Renu Rani) and the investigating officer, HC Dhanpati,



has been received from the Judicial Magistrate, Ist Class, Karnal, through the District & Sessions Judge, Karnal. As per the said report, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case. As per the police file there is only one accused namely Amit @ Rajat, i.e. the petitioner and only the one aggrieved person, i.e. the complainant-respondent No. 2 (Renu Rani). As per the statement of the complainant, she has no objection if the present FIR against the present petitioner is quashed by this Court.

[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. 0083, dated 21.06.2019, under Sections 323, 376, 406, 498-A and 506 of the IPC (Section 376 IPC was deleted later on) registered at Women Police Station, District Karnal, (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.



[09] However, the respondent No.2-Renu Rani and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise/settlement deed dated 16.11.2023 (Annexure P-5) are violated.

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

May 13, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No