

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(250)

CRM-M-64201-2023  
Date of Decision: 02.04.2024

Jai Parkash and others .....Petitioners  
  
Versus  
  
State of Haryana and others .....Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. B. K. Majoka, Advocate, for the petitioners.  
  
Mr. Vikas Malik, AAG, Haryana.  
  
Mr. Karan Singh Sura, Advocate,  
for respondents No.2 and 3.  
\*\*\*\*

**HARPREET SINGH BRAR, J.(ORAL)**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 231 dated 13.05.2022 registered under Sections 323, 406, 498-A, 506 of Indian Penal Code at Police Station Hodal, District Palwal along with all the subsequent proceedings arising therefrom in view of the compromise dated 04.12.2023 (Annexure P-2).
2. The following order was passed on 21.12.2023:
- “This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.231 dated 13.05.2022 under Sections 323, 406, 498-A, 506 of the Indian Penal Code, 1860 registered at Police Station Hodal, District Palwal, along with all the subsequent proceedings arising therefrom, on the basis of a compromise dated 04.12.2023 (Annexure P-2) arrived at between the parties.*
- Learned counsel for the petitioners would contend that the parties have since resolved all their disputes and entered into a*

*compromise (Annexure P-2). Learned counsel would further contend that the parties have decided to part ways and accordingly a petition under Section 13-B of the Hindu Marriage Act, 1955 has also been filed in which the first motion statements stand recorded and now the case is fixed for recording of second motion statements. Learned counsel for the petitioners has relied upon the judgment by the Hon'ble Supreme Court rendered in **"Gian Singh Vs. State of Punjab & Anr."** [2012 (10) SCC 303] and the Larger Bench's judgment of this Court in **"Kulwinder Singh & Ors. Vs. State of Punjab & Anr."** [2007 (3) RCR (Criminal) 1052].*

*Notice of motion.*

*On the asking of the Court, Ms. Mahima Yashpal, DAG Haryana accepts notice on behalf of respondent No.1-State. Mr. Karan Singh, Advocate accepts notice on behalf of respondents No.2 and 3 and has filed his power of attorney. The same is taken on record. Copy of the petition has already been supplied to both the counsel.*

*Learned counsel for respondent No.2 has stated that the parties have since entered into a compromise and that respondent No.2 has no objection if the aforesaid FIR is quashed.*

*List on 02.04.2024.*

*Meanwhile, the parties are directed to appear before the concerned Chief Judicial Magistrate/Illaq Magistrate/trial Court on **10.01.2024**, or on any other date convenient to the Court, for recording of their statements. The CJM/Illaq Magistrate/trial Court is directed to record the statements of the parties to its satisfaction qua the genuineness of the compromise and that the same is not the result of any undue influence, coercion or pressure of any kind. A report, along with the statements of the parties, on the following points be sent to this Court before the next date of hearing :*

*1) Whether the settlement/compromise dated 04.12.2023 (Annexure P-2) has been freely entered into between the parties without any undue influence, coercion or pressure of any kind.*

- 2) *Whether any other criminal cases are pending against the parties.*
- 3) *Whether any proclamation proceedings are pending against either of the parties.*
- 4) *Whether all the accused are party to the compromise.”*

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. 231 dated 13.05.2022 registered under Sections 323, 406, 498-A, 506 of Indian Penal Code at Police Station Hodal, District Palwal and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**02.04.2024**  
**anil**

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