

Sr. No.279

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-65287-2023  
Date of decision: 23<sup>rd</sup> April, 2024

ANKIT TYAGI .....Petitioner

versus

STATE OF HARYANA AND ANOTHER .....Respondents

**CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Parveen Sharma, Advocate  
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Raghav Bali, Advocate for  
Mr. Vishal Goyal, Advocate  
for respondent No.2.

**HARPREET KAUR JEEWAN, J. (ORAL)**

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.434 dated 26.12.2020, under Sections 323, 34, 376, 406, 498-A, 506, 511 IPC (Sections 376, 511, 34 IPC deleted later on and Section 377 IPC added later on), registered at Police Station Murthal, District Sonipat (Annexure P-1), on the basis of compromise in the shape of affidavit dated 12.12.2023 (Annexure P-2) and compromise deed dated 23.01.2024 (Annexure P-4).

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute. However, with the intervention of the respectables, the matter has now been amicably settled on the basis of compromise in the shape of affidavit of respondent No.2 dated 12.12.2023 (Annexure P-2) and compromise deed dated 23.01.2024

(Annexure P-4), executed between the parties The parties had filed a joint divorce

petition under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P-5), wherein, statements of the parties on second motion were recorded on 22.02.2024 before the Family Court, Ghaziabad. Respondent No.2-wife does not want to pursue the FIR and she has no objection if the FIR is quashed.

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

[4] On 07.02.2024, 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 06.03.2024, received from the Chief Judicial Magistrate, Sonipat, through the District & Sessions Judge, Sonipat, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. Challan was presented only against the present petitioner and other accused were found to be innocent. The petitioner has not been declared as "Proclaimed Offender" and he is not involved in any other criminal case.

[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, the present petition is allowed and FIR No.434 dated 26.12.2020, under Sections 323, 34, 376, 406, 498-A, 506, 511 IPC (Sections 376, 511, 34 IPC deleted later on and Section 377 IPC added later on), registered at Police Station Murthal, District Sonipat (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9]           However, the respondent No.2-wife and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 23.01.2024 (Annexure P-4) are violated.

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

(HARPREET KAUR JEEWAN)  
JUDGE

23<sup>rd</sup> April, 2024  
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|----------------------------------|---|---------------|
| <i>Whether speaking/reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>        | : | <i>Yes/No</i> |