



CRM-M-26825-2021 with connected petition

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-26825-2021
Date of Decision: 08.07.2025**

Amit Kumar and others Petitioners
Versus

State of Haryana and another Respondents

CRM-M-26576-2021

Amit Kumar Petitioner
Versus

State of Haryana and another Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Arjun Dhingra, Advocate
for the petitioners (in both cases).

Mr. Ayuwan Singh, AAG, Haryana.

Mr. Aman Kumar, Advocate for
Mr. Sayam Khetarpal, Advocate,
for respondent No.2.

JASGURPREET SINGH PURI, J. (ORAL)

1. Both petitions have been filed under Section 482 of Code of Criminal Procedure and are being taken up together for final disposal with the consent of all the learned counsels for the parties, since both are inter-connected cases. Both the petitions were filed for quashing of different FIRs based upon compromise which were lodged at the instance of respondent No.2/wife, namely, Neha and the FIRs are as a result of matrimonial dispute between the parties.

2. CRM-M-26825-2021 has been filed by the petitioner/husband for quashing of the FIR bearing No.96, dated 30.10.2020, under Section 323, 377,



406, 498-A, 506 & 511 IPC, registered at Police Station Gandhi Nagar, District Yamuna Nagar along with all the consequential proceedings arising therefrom.

3. CRM-M-26576-2021 has also been filed by the petitioner/husband for quashing of the FIR bearing No.154, dated 29.10.2020, under Section 323, 354-D, 376, 452, 506 & 511 IPC, registered at Women Police, Yamuna Nagar, District Yamuna Nagar along with all the consequential proceedings arising therefrom.

4. Learned counsel for the petitioners submitted that in both the petitions the prayer is for quashing of the FIRs based upon compromise since it is only a matrimonial dispute between the parties. He further submitted that in both the petitions separate orders dated 14.03.2024 have been passed whereby a direction was issued by this Court to the parties to get their statements recorded before learned trial Court/Illaq Magistrate for ascertaining the genuineness and voluntariness of the compromise arrived at between them and in pursuance thereof, separate statements have been recorded by the petitioners and also by the complainant. He also submitted that since the matrimonial dispute has been resolved between the parties which has also resulted in passing of a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, no useful purpose will be served in case further proceedings are carried on in both FIRs. Therefore, the impugned FIRs may be quashed based upon compromise.

5. On the other hand, Mr. Ayuwan Singh, learned AAG, Haryana has submitted that the dispute is essentially a matrimonial dispute between the parties and since the parties have amicably resolved their dispute, appropriate orders may be passed in this regard.



6. Learned counsel for respondent No.2/wife has submitted that the statements of the parties have been recorded including respondent No.2/complainant and he has clear instructions to state that the matter being essentially a matrimonial dispute which has been amicably resolved between the parties and a decree of divorce under Section 13-B of the Hindu Marriage Act has also been passed and she has no objection in case both the FIRs are quashed in view of the aforesaid compromise arrived at between the parties.

7. I have heard the learned counsels for the parties.

8. Two separate petitions have been filed pertaining to two separate FIRs. In both the aforesaid petitions, vide orders dated 14.03.2024 separate directions were issued to the parties to get their statements recorded before the learned trial Court/Illaq Magistrate and in pursuance thereof, separate statements have been recorded by the petitioners and also by the complainant pertaining to both the FIRs. In this regard, separate reports dated 09.05.2024 in CRM-M-26825-2021 and 17.05.2024 in CRM-M-26576-2021 have been received from learned Judicial Magistrate 1st Class, Yamuna Nagar, Jagadhri, in which, it has been so stated that the statement of the complainant and that of the accused/petitioners have been recorded and as per the statement of the parties, a compromise has been effected between them and the same is genuine, voluntary and without any coercion or undue influence.

9. The law with regard to the quashing of the FIR on the basis of compromise is no longer *res integra*. Hon'ble Supreme Court in “State of Madhya Pradesh Vs. Laxmi Narayan and others”, 2019(2) SCC (CrL) 706 and also in “Gian Singh Vs. State of Punjab and another”, 2013(1) SCC (CrL) 160 and Full Bench judgment of this Court in “Kulwinder Singh and



others Vs. State of Punjab 2007 (3) R.C.R. (Criminal) 1052,” held that when the dispute is pertaining to a private offence or a matrimonial offence or a financial dispute between the parties, then in the facts and circumstances of each and every case, FIR or any criminal complaint or any consequential proceedings can be quashed by invoking extraordinary power of the High Court so as to avoid miscarriage of justice. However, in serious or heinous offences, the same power should not be exercised.

10. After hearing the learned counsels for the parties and perusing the reports dated 09.05.2024 and 17.05.2024, respectively sent by learned Judicial Magistrate 1st Class, Yamuna Nagar, Jagadhri, this Court is satisfied that since the subject matter of the present petition is essentially a matrimonial dispute and even a decree of divorce under Section 13-B of the Hindu Marriage Act has also been passed and the matter entirely stands settled between the parties, it will not be just and proper for the parties to face prosecution. Therefore, this Court is of the considered view that it is a fit case for quashing of the FIR based upon compromise being essentially a matrimonial dispute.

11. Consequently, both the petitions are allowed. The impugned FIR bearing No.96, dated 30.10.2020, under Section 323, 377, 406, 498-A, 506 & 511 IPC, registered at Police Station Gandhi Nagar, District Yamuna Nagar and FIR bearing No.154, dated 29.10.2020, under Section 323, 354-D, 376, 452, 506 & 511 IPC, registered at Women Police, Yamuna Nagar, District Yamuna Nagar with all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioners.

08.07.2025
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No