



**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH**

214

CRM-M-46832-2024 (O&M)
Date of decision: 08.08.2025

AMIT SHARMA**...Petitioner****Versus****STATE OF HARYANA AND ANOTHER****...Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Ashwani Bhardwaj, Advocate
for the petitioner.

Mr. Kshitij Bharati, AAG Haryana,
for respondent No.1.

SHALINI SINGH NAGPAL (Oral)

CRM-38013-2024

Application has been filed for exemption from filing certified copy of Annexure P-1 to P-4 for placing on record the true typed/ photo state is annexed with the petition.

Allowed.

CRM-M-46832-2024

In the petition under Section 528, Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.) 2023, the prayer is for quashing FIR No.436 dated 30.12.2021 (Annexure P-1) under Sections 323, 406, 498-A, 506, 34 IPC, registered in Police Station Urban Estate, Hisar, District Hisar and all the consequential proceedings arising therefrom, on the basis of affidavit/compromise dated 30.06.2024 (Annexure P-2) effected between the parties and on joint statement dated 22.07.2024 (Annexure P-3) made by the parties before the learned Family Court in the proceedings under Section 13-B of the Hindu Marriage Act, 1955.



On 19.09.2024, this Court directed the parties, to appear before the trial Court/Illaq Magistrate on 03.10.2024 or any other date convenient for recording of their statements with regard to compromise dated 30.06.2024.

In compliance of the aforesaid order, parties appeared before learned Judicial Magistrate Ist Class, Hisar on 07.10.2024 and made statements regarding compromise. Statement of the Investigating Officer, SI Babita was also recorded on 07.11.2024. Learned Judicial Magistrate Ist Class, Hisar has submitted his report regarding satisfaction that a compromise had been effected between the parties without any threat, coercion, pressure or influence etc. Point-wise report as under has been submitted:

1. As per statement of Investigating Officer, SI Babita there is only one accused in the present FIR namely, Amit Sharma and as per record, he has never been declared as proclaimed offender in the present case.
2. No other case is pending against the accused Amit Sharma except the present case.
3. There is only one aggrieved complainant named Charmi, daughter of Naresh Sharma in the present case. She has appeared and has made her statement in support of the compromise.
4. After careful perusal of the statements given on solemn affirmation by the complainant as well as that of accused, the Court of Judicial Magistrate Ist Class, Hisar is satisfied that the complainant as well as accused have compromised the matter between them voluntarily and without any threat, pressure or coercion and out of their free will. The compromise as per their statements is a genuine compromise.

Learned AAG for the State of Haryana has not raised any dispute regarding the factum of compromise. Since the matter has been amicably resolved, continuation of the criminal proceedings would be an exercise in futility. The dispute which has its genesis in a matrimonial discord, as per settled principles of law, warrants exercise of powers under Section 482 Cr.P.C.

Following principles of law laid down by the Full Bench Judgment of this Court in ***“Kulwinder Singh and others Vs. State of Punjab and another” 2007(3) RCR (Criminal) 1052*** and Hon’ble Supreme Court in ***“Gian Singh Versus State of Punjab and others” (2012) 10 SCC 303***, the petition is allowed.

FIR No.436 dated 30.12.2021 (Annexure P-1) under Sections 323, 406, 498-A, 506, 34 IPC registered at Police Station Urban Estate, Hisar, District Hisar, along with all the subsequent proceedings arising therefrom, is quashed qua the petitioner.

(SHALINI SINGH NAGPAL)
JUDGE

08.08.2025
harpreet

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