



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

CRM-M-57592-2023 (O&M)

Date of Decision:12.03.2025

Rohit and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. V.K. Singh, Advocate for the petitioners.

Mr. Ayuwan Singh, AAG, Haryana.

Mr.Milan Kuchhal, Advocate for respondent No.2.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.0104 dated 01.09.2019, under Sections 323, 498-A, 406 and 34 of IPC, registered at Police Station Women Police Station, Sector-51, District Gurugram, Haryana alongwith all consequential proceedings.

2. Learned counsel appearing for the petitioner submitted that the present FIR was registered as a result of matrimonial dispute between petitioner No.1 and respondent No.2.

3. Learned counsel appearing on behalf of the petitioners submitted that after the matrimonial discord took place between petitioner No.1 and respondent No.2, the matter has been amicably settled with the intervention



of the respectables and in compliance of the orders passed by this Court on 16.11.2023 and also on 23.01.2024, all the parties have appeared before learned Trial Court and have got their statements recorded and also an amount of Rs.25,000/-as costs has been deposited before District Legal Services Authority, Gurugram. He further submitted that since the matter has been amicably settled and the part of the alimony that was fixed at Rs. 5,50,000/-, of which Rs. 4,00,000/- has already been paid and the remaining amount of Rs. 1,50,000/- was to be paid at the time of the quashing of the FIR. Today learned counsel for the petitioners has brought a demand draft of Rs. 1,50,000/- in the name of respondent No. 2, which has been handed over to learned counsel for respondent No. 2. In this way, the entire alimony has been paid to respondent No. 2. He further submitted that no useful purpose would be served if further proceedings are carried on because matrimonial dispute has been amicably settled between the parties, and he has prayed for quashing of the present FIR.

4. Learned State counsel submitted that since this is a matrimonial dispute between the parties and they have now settled the matter, the only requirement under the law is to determine as to whether the settlement was effected amicably and voluntarily or not.

5. Learned counsel appearing on behalf of respondent No. 2 submitted that the matter between the parties has been amicably settled and that it has been resolved. He stated that he has received a demand draft of Rs.1,50,000 in the name of respondent No. 2-wife in court today and in this way the entire amount of alimony has been paid to her.

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

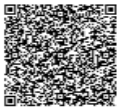
7. The prayer in the present petition is for the quashing of the FIR.



The parties were directed to appear before learned Trial Court/Illaq Magistrate as per the order dated 16.11.2023 passed by this Court for the purpose of recording their statements. However, since they did not appear before learned Illaq Magistrate/Trial Court, they were again directed to appear, subject to payment of costs of Rs.25,000. A report dated 20.03.2024 has been received from learned Judicial Magistrate Ist Class, Gurugram, whereby it has been so stated that the aforesaid costs of Rs.25,000/- has been deposited in DLSA Gurugram. It has also been reported by learned JMIC, Gurugram that the Court is satisfied that the compromise entered between the complainant and accused Rohit and Laxmi Devi is genuine and voluntary and learned Trial Court also attached the statements of the parties.

8. The law regarding the quashing of an FIR based on a compromise is well settled. It is a settled law that in certain types of cases, including matrimonial offences, where the matter has been settled between the parties, it is just and proper to quash the FIR on the basis of the compromise and a perusal of the FIR and after hearing the submissions made by learned counsels for the parties, this Court is satisfied that the subject matter of the present FIR does not fall in category of serious or heinous offence.

9. As per the report of learned JMIC, the compromise which has been effected between the parties is genuine and voluntary and as far as the payment of alimony is concerned as per the learned counsels for the parties, an amount of Rs.4,00,000/- has already been paid to respondent No.2-wife and today remaining amount of Rs.1,50,000/-has also been paid by way of a demand draft which has been received by learned counsel for



respondent No.2-wife.

10. In view of the aforesaid facts and circumstances, the present petition is allowed and FIR No.0104 dated 01.09.2019, under Sections 323, 498-A, 406 and 34 of IPC, registered at Police Station Women Police Station, Sector-51, District Gurugram, Haryana alongwith all other consequential proceedings is hereby quashed qua the petitioners based upon compromise.

(JASGURPREET SINGH PURI)
UDGE

12.03.2025

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