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

**CRM-M-62937-2024
Date of decision: 12.05.2025**

VIVEK SHARMA

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Rajnikant Upadhyay, Advocate for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

Mr. Nitish Yadav, Advocate for
Mr. Jagdeep Singh, Advocate for respondent No.2.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.352 dated 20.06.2022, under Sections 323, 377, 406, 498-A and 506 of the IPC (Sections 354 and 34 of the IPC deleted later on), registered at Police Station Sonipat City, District Sonipat, Haryana, alongwith all other consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

2. Learned counsel for the petitioner submitted that it is a case where although allegations under Sections 323, 377, 406, 498-A and 506 of the IPC were made against the petitioner-husband but later on with the intervention of the respectables, the matter has been compromised between the parties vide



compromise (Annexure P-2) and the case is now fixed for prosecution evidence. He further submitted that after the aforesaid compromise, both the petitioner and respondent No.2 are now living together peacefully and since the matrimonial dispute has already been settled between the parties, further continuation of criminal proceedings against the petitioner would not be in the interest of justice. He further submitted that in pursuance of the order passed by this Court on 16.12.2024, the parties were directed to appear before the learned trial Court/Illaq Magistrate for recording their statements with regard to the authenticity of compromise, to which they have already got their statements recorded before the learned trial Court/Illaq Magistrate and therefore, considering the totality and circumstances of the present case, the FIR may be quashed on the basis of compromise.

3. On the other hand, Mr. Ayuwan Singh, AAG, Haryana submitted that since the present is a matrimonial dispute and the matter has been resolved between the parties, he has no objection in case the present FIR is quashed based upon compromise.

4. Learned counsel appearing on behalf of respondent No.2 submitted that he has specific instructions from respondent No.2 to state that the matter has been amicably settled between the parties and they are living together peacefully and she has no objection in case the present FIR is quashed based upon compromise.

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

6. The prayer in the present petition is for quashing of the FIR on the basis of compromise. Vide order dated 16.12.2024, the parties were directed to



appear before the learned trial Court/Illaqa Magistrate for the purpose of recording their statements pertaining to genuineness and voluntariness of compromise. In pursuance thereof, a report has been received from the learned Chief Judicial Magistrate, Sonapat dated 18.01.2025, wherein it has been stated that on the basis of the statements of the petitioner and respondent No.2, it appears that the matter has been compromised between the parties without any pressure. It has also been stated in the aforesaid report that *bona fide* statements have been made by both the parties and it is not a result of any threat, duress or coercion in any manner and therefore, the compromise effected between the parties is genuine, voluntarily and without any coercion or undue influence and is a valid one. It has been further stated that only the petitioner has been arraigned as an accused in the present FIR and he has never been declared as proclaimed offender and he is not involved in any other case.

7. The law with regard to quashing of FIR based upon compromise is no longer *res integra*. Hon'ble Supreme Court in **State of Madhya Pradesh versus Laxmi Narayan and others, 2019(2) SCC (Crl.) 706** and also in **Gian Singh versus State of Punjab and another, 2013 (1) SCC (Crl.) 160** and Full Bench judgment of this Court in **Kulwinder Singh and others versus State of Punjab, 2007 (3) R.C.R.(Criminal) 1052** held that where the offence does not fall in the category of any serious or heinous offence and the Court is satisfied that considering the facts and circumstances of the case, it will not be in the interest of justice to continue with the prosecution, then FIR can be quashed on the basis of compromise.



8. After hearing the learned counsels for the parties and perusing the present FIR and the report dated 18.01.2025 sent by the learned Chief Judicial Magistrate, Sonapat, this Court is of the considered view that since the matrimonial dispute stands resolved between the petitioner and respondent No.2 and as per the learned counsels for the parties, they are now living together peacefully, further continuation of criminal proceedings against the petitioner would not be in the interest of justice and therefore, it is a fit case for quashing the present FIR based upon compromise.

9. Consequently, the present petition is allowed.

10. The impugned FIR No.352 dated 20.06.2022, under Sections 323, 377, 406, 498-A and 506 of the IPC (Sections 354 and 34 of the IPC deleted later on), registered at Police Station Sonipat City, District Sonipat, Haryana, alongwith all other consequential proceedings arising therefrom are hereby quashed, on the basis of compromise (Annexure P-2) qua the petitioner.

12.05.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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