



CRM-M-44265-2025(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-44265-2025(O&M)

Date of Decision : 16.09.2025

PRINCE

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Sunil Kumar Goswami, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Surender Singh, Advocate
for respondent No.4.

KIRTI SINGH, J.(Oral)

1. This petition under Section 482 Cr.P.C. (now Section 528 of BNSS) is for quashing of FIR No.139 dated 13.07.2021, under Sections 313, 323, 34, 376, 406, 498-A, 506 and 511 IPC, registered at Women Police Station Jhajjar, District Jhajjar along with all the subsequent proceedings arising therefrom, on the basis of joint statement dated 08.01.2025 (Annexure P-4).
2. Heard learned counsel for the parties and also gone through the case file.
3. This Court while directing the parties to appear before the Area Magistrate/trial Court for recording their statements with regard to the compromise, passed the following order on 18.08.2025:-

“Prayer in this petition filed under Section 482 Cr.P.C. (now Section 528 of BNSS) is for quashing of FIR No.139 dated 13.07.2021, under Sections 313, 323, 34, 376, 406, 498-A, 506 and 511 IPC, registered



at Women Police Station Jhajjar, District Jhajjar along with all the subsequent proceedings arising therefrom, on the basis of joint statement dated 08.01.2025 (Annexure P-4).

2. Learned counsel for the petitioner submits that marriage between the petitioner and respondent No.4 was solemnized on 19.11.2018 and one child was born on 03.02.2020 who is in care and custody of respondent No.4. He further submits that on account of matrimonial dispute, the above mentioned FIR was registered, however now the matter has amicably settle between both the parties and thereafter the petitioner had filed a decree of divorce by way of mutual consent under Section 13-B of Hindu Marriage Act. As per the settlement arrived between the parties, the petitioner has paid an amount of Rs.12 lacs as permanent alimony to respondent No.4. Reliance has been placed upon Annexure P-4 (joint statement of the parties and Annexure P-5 (second motion statement).

3. Notice of motion.

4. Upon advance notice, Ms. Saumya Ahluwalia, Sr. DAG, Haryana, accepts notice on behalf of respondents No.1 to 3/State and Mr. Surender Singh, Advocate has put in appearance on behalf of respondent No.4 and files his Vakalatnama of appearance in Court, which is taken on record. He has admitted the factum of compromise and supports the prayer made in the petition.

5. In view of the above, the parties and the Investigating Officer are directed to appear before the Area Magistrate/Trial Court on **27.08.2025** or on any day thereafter as fixed by the Trial Court, for getting their statements recorded with regard to the compromise. The Area Magistrate/Trial Court shall submit a report on or before the next date of hearing specifying the following:-

1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;
2. The name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;
3. The stage of trial/proceedings;
4. If the compromise is genuine, voluntary and out of free will of the parties.
5. Whether any other criminal case is pending against the accused.

6. Report of the Area Magistrate/Trial Court be awaited for 16.09.2025.”

4. Pursuant to the aforesaid order, report dated 28.08.2025 has been received from the Judicial Magistrate Ist Class, Jhajjar. A perusal of the said report



reveals that statements of the concerned persons have been recorded in the present case, who have stated that the matter has been settled between them and they have no objection in case the FIR in question is quashed. The compromise effected between them is genuine, without any undue influence and coercion.

5. The Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, held that High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the proceedings where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

6. Hon'ble the Supreme Court in the case of ***Gian Singh vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543***, had observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected. The relevant portion of para 57 of the said judgment reads thus:-

“57. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code.

Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court.

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7. In view of the afore-referred judgments and after perusing the report of the trial Court regarding amicable settlement between the petitioner and the complainant, this Court finds that quashing the FIR will accord a quietus to all disputes between the parties and it is in the interest of both sides to bury the hatchet and lead a peaceful life. Thus, no useful purpose would be served in continuing the proceedings and in order to secure the ends of justice, the criminal proceedings in the present case deserve to be quashed.

8. Resultantly, the present petition is allowed and of FIR No.139 dated 13.07.2021, under Sections 313, 323, 34, 376, 406, 498-A, 506 and 511 IPC, registered at Women Police Station Jhajjar, District Jhajjar along with all consequential proceedings arising therefrom, are quashed qua the petitioner, on the basis of joint statement dated 08.01.2025 (Annexure P-4), **subject to payment of Rs.20,000/- to be deposited in Punjab State Legal Services Authority-Disaster Relief Fund (Account No.44426937384, IFSC Code: SBIN0014656, State Bank of India, Sector 68, SAS Nagar, within a period of one month.**

9. Pending application(s), if any, shall also stand(s) disposed of accordingly.

16.09.2025

Kavita

**(KIRTI SINGH)
JUDGE**

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No