



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

**CRM-M-62061-2024 (O&M)
Date of Decision:-16.05.2025**

Shankar Kashyap and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Amandeep Rana, Advocate for the petitioners.

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Vikramjeet Singh, Advocate for respondent No.2.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 528 of BNSS for quashing of FIR No.190 dated 10.09.2022, under Sections 323, 342, 354, 406, 498-A and 506 of IPC, registered at Police Station Panjokhra, District Ambala alongwith all other consequential proceedings based upon compromise.

2. It has been submitted by the learned counsel for the petitioners that the present FIR was lodged arising out of a matrimonial dispute between the petitioners and respondent No. 2, which has now been amicably settled between the parties with the intervention of respectables. He submitted that the petitioners are neither habitual offenders nor they are declared as proclaimed offenders in the present case and therefore, no useful purpose will be served in case further proceedings are carried on. He also submitted that in



pursuance of the orders passed by this Court on 12.12.2024 the parties have already got their statements recorded before the learned Judicial Magistrate Ist Class, Ambala that the compromise is genuine, voluntary and without any pressure and has prayed for the quashing of the FIR and all the consequential proceedings based upon compromise.

3. Learned State counsel submitted that the dispute between the parties was matrimonial in nature and the subject matter of the FIR does not fall within the category of any serious or heinous offence. Therefore, the State has no objection if the aforesaid FIR is quashed on the basis of the compromise arrived at between the parties.

4. Mr. Vikramjeet Singh, Advocate has appeared on behalf of the complainant and has stated that the matter has been amicably settled between the parties without any coercion or undue influence and he has no objection in case the FIR is quashed based upon compromise.

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

6. In pursuance of the orders passed by this Court on 12.12.2024 the learned Judicial Magistrate Ist Class, Ambala has sent a report dated 02.01.2025 in which he has stated that the parties have appeared before him and got their statements recorded. It has been stated in the report that the compromise effected between the parties is voluntary, genuine and without any pressure and neither of the accused have been declared as proclaimed offenders in the present case. Furthermore, the report states that the only aggrieved person is the complainant, namely Komal, and that the compromise agreement is voluntary in nature and has been entered into without any pressure, threat, or coercion in any manner.



7. The law with regard to quashing of FIR based upon compromise is no longer *res integra*. The Hon'ble Supreme Court in "***Gian Singh Vs. State of Punjab and another***", 2012(4) RCR (Criminal) 543, "***State of Madhya Pradesh Vs. Laxmi Narayan***", (SC) 2019(196) AIR 1 and Full Bench judgment of this Court in "***Kulwinder Singh Vs. State of Punjab***", 2007(3) RCR(Criminal) 1052 observed that in case where the Court finds that the subject matter of the case is not serious or heinous and the parties have arrived at an amicable settlement voluntarily or without any force or coercion, then considering the facts and circumstances of each and every case, the FIR can be quashed based upon compromise.

8. After perusing the record and after hearing the learned counsel for the parties, this Court is of the considered view that in the light of the aforesaid judgments of Hon'ble Supreme Court and a Full Bench judgment of this Court, the subject matter of the present case does not fall in the category of serious or heinous offence and therefore, it is a fit case for quashing of the FIR based upon compromise.

9. Consequently, the present petition is allowed and the FIR No.190 dated 10.09.2022, under Sections 323, 342, 354, 406, 498-A and 506 of IPC, registered at Police Station Panjokhra, District Ambala, alongwith all other consequential proceedings is hereby quashed qua the petitioners based upon compromise.

(JASGURPREET SINGH PURI)
JUDGE

16.05.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No