

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

**Crl. Misc. No.M-14184 of 2016 (O&M)
Date of decision : 08.11.2016**

Vinod Saini @ Vinod Kumar

.....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Amit Jain, Advocate
for the petitioner.

Mr. Kuldip Sharma, DAG, Haryana.

Mr. Tonmay Gupta, Advocate
for respondent no.2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.355 dated 25.12.2010 registered under Sections 406, 498-A, 323, 506, 34 IPC, Police Station Sector-5, Gurgaon, District Gurgaon and the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Counsel for the petitioner says that a revision had been filed by respondent no.2 Babita, which is fixed for today and there is no appearance in that case and she is being represented by another counsel, who is not appearing. The counsel refers to the compromise and specifically to para

no.4 of the Compromise Deed to show that Babita had agreed to withdraw the petition regarding the maintenance pending in the High Court where order dated 29.04.2014 had been challenged.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is voluntary and without any pressure or coercion. The trial Court has also sent statements of parties.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles 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**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioner.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

08.11.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No