

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

**Crl. Misc. No.M-39394 of 2015 (O&M)
Date of decision : 06.04.2016**

Er. Joginder Kumar Girdhar & Others

.....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Arvind Singh, Advocate
for the petitioners.

Mr. Surinder Singh, AAG, Haryana.

Mr. A.K. Chauhan, Advocate
for respondent no.2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.173 dated 19.03.2015 registered under Sections 323, 406, 498-A, 506 IPC (Section 376/511 IPC added later on), Police Station Civil Lines, Karnal, District Karnal and the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Counsel for the petitioners states that allegations under Section 376 IPC were also levelled by the wife and a compromise was effected between the parties before the Mediation and Conciliation Centre of this Court and in terms of compromise, petition under Section 13-B of the Hindu Marriage Act had also been filed and the first statement has been recorded.

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 copy of the joint statement of the parties.

Learned counsel for the State on instructions submits that petitioners are the only accused and respondent no.2 is the only aggrieved person in this FIR.

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 petitioners.

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

06.04.2016
sunil

(ANITA CHAUDHRY)
JUDGE