

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

Crl. Misc. No.M- 18319 of 2018

Date of decision : 25.09.2018

Pawan Kumar Sharma and another

.....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ravinder Hooda, Advocate
for the petitioners.

Mr. Arun Kumar, AAG, Haryana.

Mr. Dinesh Arora, Advocate
for respondent no.2.

ANITA CHAUDHRY, J.(ORAL)

The instant petition is for quashing of FIR No.44 dated 13.05.2017 registered under Sections 498-A, 376, 377, 511, 34 IPC (Sections 376, 377, 511 IPC deleted during investigation), Police Station Women Police Station, Rohtak, District Rohtak and the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

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 joint statement of the parties.

Counsel for the complainant urges that an FIR had been registered against the complainant side which is in Delhi and the parties had agreed that FIR registered in Delhi would also be quashed and a petition had been filed but it is listed on 26.02.2019 and they would move an application for early hearing and would need the support of the petitioners.

Counsel for the petitioners contends that they would have no objection and would support the complainant.

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 statement made in the Court below.

25.09.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No