

Crl. Misc. No.M-33927 of 2018 (O&M)

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

**Crl. Misc. No.M-33927 of 2018 (O&M)
Date of decision : 17.11.2018**

Manoj Aggarwal

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Adish Gupta, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Amandeep Rana, Advocate
for respondent no.2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.11 dated 26.01.2017 registered under Sections 323, 341, 354-D, 506 IPC (Section 376 read with Section 511 IPC added subsequently), Women Police Station Faridabad, District Faridabad 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 this is a matrimonial dispute and the marriage was not consummated. Counsel says that compromise has been effected between the parties.

Status report has been received from the Additional Sessions Judge, Faridabad after statements of the parties were recorded regarding the compromise. The Additional Sessions Judge, Faridabad has reported that the compromise is voluntary and without any pressure or coercion.

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Learned counsel for the State on instructions submits that petitioner is 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.

17.11.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No