

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

CRM-M-48414-2017 (O&M)

Date of decision : 20.02.2018

Amit Kumar and others

.....Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Ms. G.K. Mann, Advocate
for the petitioners.

Mr. Arun Kumar, A.A.G., Haryana.

Respondent No.2 in person.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.0061 dated 17.09.2016 registered under Sections 323/406/498-A of IPC at Police Station Women Police Station Panchkula, District Panchkula and the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Reply by way of affidavit of Noopur Bishnoi, HPS Assistant Commissioner of Police, Panchkula has been filed on behalf of respondent No.1-State. Same is taken on record.

It is also submitted that the allegations under Section 377 IPC are only against the husband.

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 the parties in original.

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.

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

February 20, 2018

ps-I

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No