

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23850-2019 (O&M)
Date of Decision:- 27.8.2019

Manish Kumar and others ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajesh Bhateja, Advocate, for the petitioners.

Mr. Brijesh Sharma, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.1049, dated 7.12.2018, registered at Police Station City Ballabgarh, Faridabad, under Sections 498-A, 506, 323, 377/34 IPC, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. At this stage, Mr. Shiva Khurmi, Advocate has appeared on behalf of respondent No.2 and filed power of attorney. The same is taken on record.
3. Reply of Mr. Jaiveer Singh, HPS, Assistant Commissioner of Police, Ballabgarh, District Faridabad, on behalf of respondent No.1 has been filed. The same is taken on record.

4. Vide order dated 23.5.2019 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.
5. Report of learned Judicial Magistrate 1st Class, Faridabad, has been received wherein it has been reported that statement of complainant Shalu as well as of petitioners/accused Manish Kumar, Lalit Kumar, Avnish Kumar, Bala @ Raj Bala, Pooja Sharma and Rajni, have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that the matter has been compromised with the petitioners and she does not want to pursue with the matter. Learned Judicial Magistrate 1st Class, Faridabad, opined that the compromise effected between the parties is genuine.
6. In view of the aforesaid report and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.1049, dated 7.12.2018, registered at Police Station City Ballabhgarh, Faridabad, under Sections 498-A, 506, 323, 377/34 IPC, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

August 27, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No