

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

CRM-M-24425-2019 (O&M)

Date of Decision:- 18.11.2019

Rahul Kumar Tiwari

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. A.K.Ranolia, Advocate for
Mr. Shiv Kumar, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.880, dated 26.9.2017, registered at Police Station Saran, District Faridabad, under Sections 498-A, 506, 34 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Learned State counsel has filed reply in the shape of affidavit of Sukhbir Singh, HPS, Assistant Commissioner of Police, Badkhal, District Faridabad. The same is taken on record.
3. Vide order dated 27.5.2019, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

4. Report of learned Judicial Magistrate 1st Class, Faridabad, has been received, wherein it has been reported that statements of petitioner/accused Rahul Kumar Tiwari and also of complainant Komal have been recorded to the effect that they have compromised the matter amongst themselves.
5. The complainant in her statement has specifically stated that she has no objection in case the FIR in question is quashed.
6. The learned Judicial Magistrate 1st Class, Faridabad, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
7. In view of the aforesaid compromise 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 present petition is allowed and FIR No.880, dated 26.9.2017, registered at Police Station Saran, District Faridabad, under Sections 498-A, 506, 34 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

November 18, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No