

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

CRM-M-30084-2019 (O&M)
Date of Decision:-5.11.2019

Rajiv Kumar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kulwant Singh, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Mohit Chaudhary, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking quashing of FIR No.775 dated 31.12.2017 registered at Police Station Yamuna Nagar City, District Yamuna Nagar under Sections 323, 34, 354, 377, 406, 498-A and 506 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Reply by way of affidavit of Sh. Subhash Chand, HPS, Deputy Superintendent of Police, Yamuna Nagar-III has been filed by learned State counsel today in Court, which is taken on record.

Vide order dated 17.7.2019, 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.

Report of learned Judicial Magistrate 1st Class, Yamuna Nagar at Jagadhri has been received, wherein it has been reported that statements of petitioner/accused Rajiv Kumar and also of complainant Mamta Devi have been recorded to the effect that they have compromised the matter amongst themselves with the intervention of respectables and they have no objection in case the FIR is quashed.

The learned Judicial Magistrate 1st Class, Yamuna Nagar at Jagadhri has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.

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.775 dated 31.12.2017 registered at Police Station Yamuna Nagar City, District Yamuna Nagar under Sections 323, 34, 354, 377, 406, 498-A and 506 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

5.11.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No