

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

CRM-M-30057-2019 (O&M)

Date of Decision:- 7.11.2019

Subhashish Dutta and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Himanshu Arora, Advocate, for the petitioners.

Mr. Brijesh Sharma, DAG, Haryana.

Ms. Swati Verma, Advocate, for
Ms. Neha Sharma, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.58, dated 8.5.2019, registered at Police Station Women West Gurugram, under Sections 323, 34, 406, 498-A IPC and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Learned State counsel has filed reply by way of affidavit of Pankhuri Kumar, HPS, Assistant Commissioner of Police, CAW West, Gurugram. The same is taken on record.
3. Vide order dated 18.7.2019 the parties had been directed to appear before the Illaqa Magistrate/Trial Court so as to get the statements recorded qua the factum of compromise.

4. Report of learned Judicial Magistrate 1st Class, Gurugram, has been received wherein it has been reported that statement of complainant Suparna Dutta as well as of the petitioners/accused Subhashish Dutta, Anita Dutta and Devashish Dutta, have been recorded to the effect that they have compromised the matter amongst themselves and the have no objection in case the FIR is quashed.
5. Learned Judicial Magistrate 1st Class, Gurugram, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
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.58, dated 8.5.2019, registered at Police Station Women West Gurugram, under Sections 323, 34, 406, 498-A IPC, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.
7. The parties shall remain bound by their statements/compromise.

November 7, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No