

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

CRM-M-38660-2019 (O&M)
Date of Decision:-18.12.2019

Himanshu Ellabadi @ Himansu Ellabadi

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Girotra, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

Mr. Dinesh Arora, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.516 dated 8.9.2016 registered at Police Station Meham, District Rohtak under Sections 328, 34, 377, 406 and 498-A of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 11.9.2019, 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 Additional Civil Judge (Sr. Divn.)-cum-SDJM, Meham has been received, wherein it has been reported that statements of petitioner/accused Himanshu Ellabadi @ Himansu Ellabadi and also of

complainant Meenu have been recorded to the effect that they have compromised the matter amongst themselves.

5. The complainant in her statement has stated that she has no objection in case the FIR in question is quashed.
6. The learned Additional Civil Judge (Sr. Divn.)-cum-SDJM, Meham 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.516 dated 8.9.2016 registered at Police Station Meham, District Rohtak under Sections 328, 34, 377, 406 and 498-A of Indian Penal Code, 1860 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

18.12.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No