

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-44584-2019
Date of decision:4.12.2019

DEEPAK GUPTA

.....Petitioner

Versus

STATE OF HARYANA AND ANR

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Krishan M. Vohra, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Sandeep Jasuja, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks quashing of FIR No.5 dated 4.1.2016 under Sections 323, 406, 498-A & 506 IPC, Police Station Assandh, District Karnal Haryana and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 19.10.2019 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.
3. Report of learned Judicial Magistrate 1st Class, Assandh has been received, wherein it has been reported that statements of petitioner/accused and also of complainant-Shivani Gupta have been

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

4. As per statement of the complainant-Shivani Gupta, recorded by learned Judicial Magistrate Ist Class, Assandh the matter has been settled between parties and she has no objection for quashing of the FIR subject to payment of ₹4,50,000/- which is to be paid by the petitioner in this Court. Today learned counsel for the petitioner has handed over a draft for ₹4,50,000/- to learned counsel for the complainant who has accepted the same and has expressed that he has no objection in quashing of the FIR.
5. The learned Judicial Magistrate 1st Class, Assandh has specifically opined that compromise arrived at between the parties is genuine, *bona fide*, and has been effected voluntarily between the parties.
6. 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 petition is allowed and FIR No.5 dated 4.1.2016 under Sections 323, 406, 498-A & 506 IPC, Police Station Assandh, District Karnal Haryana and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

**(GURVINDER SINGH GILL)
JUDGE**

4.12.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No