

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

113) CRM no.26954 of 2020 in/and
CRM-M-4052 of 2020
Date of Decision: 18.12.2020

Mayank Sharma and others ...Petitioners
Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- None for the petitioner.
Mr. Sanjiv Gupta, Advocate, for the applicant-complainant.
Mr. B.S. Virk, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By CRM no.26954 of 2020, disposal of the accompanying petition is sought by the complainant.

It has been prayed that the accompanying petition may be disposed of in view of the compromise reached between the parties.

Though counsel for the petitioner not being able to connect due to a connection problem in his audio/video connection, however, Mr. Gutpa, learned counsel for respondent no.2, as also State counsel, are present, with Mr. Gupta submitting that in fact the complainant herself wishes that the present petition be disposed of in terms of the compromise reached between the parties.

Consequently, with the consent of learned counsel for the complainant, as also for the State, the accompanying petition is ordered to be

taken up today itself.

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This petition has been filed seeking quashing, on the basis of a compromise arrived at between the petitioners and respondent no.2, of FIR no.706 dated 07.08.2019 (as also all other subsequent proceedings arising therefrom), registered at Police Station City Karnal, District Karnal, for the alleged commission of offences punishable under Sections 323, 406, 498A, 506 and 120-B of the IPC. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

Pursuant to the order of this court dated January 30, 2020, a report of the learned JMIC, Karnal, dated 01.09.2020, is on record, stating therein that only petitioner no.1, Mayank Sharma, appeared before that court to record his statement and to state that the other three petitioners could not appear due to some reasons and that therefore his statement, as also of Neha Vats, respondent no.2 herein (complainant in the FIR), be recorded.

That having been done, learned JMIC has stated that a compromise has been effected as per the statement of the complainant and as per assessment of that court, it is not the result of any undue influence or coercion.

Mr. Gupta, learned counsel for the complainant, also submits that in fact the matter had been compromised before the learned Mediator, Mediation and Conciliation Centre of this Court.

That being so, even though all the petitioners did not appear

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before the learned JMIC, but the complainant herself having suffered a statement that she has compromised the matter with all the accused, the statements of the accused themselves would become irrelevant.

Consequently, in view of the above and also looking at the nature of the offences alleged to have been committed, the present petition is allowed and FIR no.706 dated 07.08.2019 (as also all other subsequent proceedings arising therefrom), registered at Police Station City Karnal, District Karnal, for the alleged commission of offences punishable under Sections 323, 406, 498A, 506 and 120-B of the IPC, is hereby quashed.

18.12.2020
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No