

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

**CRM-M-17148-2018
Decided on : 06.02.2020**

Shiv Kumar Sharma

. . . Petitioner(s)

Versus

State of Haryana and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Amrainder Singh, Advocate
for the petitioner(s).

Mr. D.R. Singla, DAG, Haryana
assisted by ASI Suresh Kumar.

Mr. Paramvir Singh Rai, Advocate for
Mr. Sandeep Verma, Advocate
for the respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 470, dated 27.06.2016, lodged under Sections 498-A, 323, 313, 506 IPC and Section 3 of the SC/ST Act, registered at Police Station City Ballabgarh, District Faridabad and the consequential proceedings arising out of the same, on the basis of compromise deed (Annexure P-2) arrived at, between the parties.

Vide order dated 04th October, 2018 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 01st November, 2018 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned ASJ, Faridabad, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between

the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed. The trial Court has annexed the statements of the parties in original, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned ASJ, Faridabad and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

February 06, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*