

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

CRM-M-16042-2019

Date of decision : 03.02.2020

Sumit Dalal and others

.... Petitioners

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Hooda, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Haryana.

Mr. I.P.S. Mangat, Advocate for
Mr. Vir Vikram Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition is for quashing of FIR No.443 dated 24.11.2014, under Sections 498-A, 406, 506 and 34 of IPC, registered at Police Station Sampla, District Rohtak and the consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Vide order dated 08.04.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 27.05.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Rohtak, in pursuance to the direction of this Court. 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. The trial Court has annexed the statements of the parties, i.e. complainant and petitioners No.1 and 2 in original alongwith its report. However, statements of petitioners No.3 to 6 could not be recorded as they were not accused before the Court below.

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

In view of the report of the learned JMIC, Rohtak 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

03.02.2020

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No