

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

**CRM-M-16819-2019
Decided on : 09.01.2020**

Sandeep Singh

. . . Petitioner(s)

Versus

State of Haryana and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Priyavrat Prashar, Advocate
for the petitioner(s).

Mr. Ashish Sanghi, DAG, Haryana.

Mr. Neeraj Goel, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 207, dated 23.11.2018, under Section 306 IPC, registered at Police Station Siwan, Kaithal, Haryana and the consequential proceedings arising out of the same, on the basis of compromise deed dated 07th March, 2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 11.04.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 25.04.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned SDJM, Guhla, 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 in original along with its report.

It is pertinent to mention here that in the reply filed by the State by way of affidavit of Kishori Lal, DSP, Guhla, it has been categorically stated that during investigation in the instant case, no incriminatory evidence came on file, on the basis of which the petitioner could be prosecuted in the Court of law for commission of offence under Section 306 IPC. Accordingly, a cancellation report has been prepared and the same shall be filed shortly before the Illaqa Magistrate.

Learned State counsel also 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 Ld. JMIC, Moga as well as the reply filed by the State and keeping in view 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

January 09, 2020

J.Ram

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