

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

**CRM-M-35315-2019
Decided on : 20.01.2020**

Harjender and others

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ajay Kalra, Advocate
for the petitioner(s).

Mr. D.R. Singla, DAG, Haryana.

Mr. Sumit Kaushik, Advocate
for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 514, dated 25.09.2017, under Sections 323, 406, 498-A IPC, registered at Police Station Kharkhoda, District Sonapat and the consequential proceedings arising out of the same, on the basis of settlement dated 21st February, 2019 (Annexure P-7) arrived at, between the parties.

Vide order dated 28th August, 2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 21st October, 2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned SDJM, Kharkhoda, 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 copies of statements of the parties in original along with its report.

Respondent No.2 – claimant, who is present in-person in Court today and has been duly identified by her counsel. She has also produced her self attested Aadhar Card, duly attested by her counsel. Same is taken on record. Respondent No.2 – claimant admitted the factum of compromise arrived at between the parties. It has also been brought to the knowledge of the Court that the marriage between the parties stands dissolved under Section 13-B of the Hindu Marriage Act, 1955.

Learned State counsel too 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 SDJM, Kharkhoda 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

January 20, 2020

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No