

258.

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

CRM-M-35870-2019

Date of decision: 30.01.2020

MOHIT

... Petitioner

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. J.S. Hooda, Advocate, for
Mr. Neeraj Kumar, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana,
for respondent No.1.

Mr. Shashank Bhandari, Advocate, for
Mr. Gursimranjit Singh, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.220 dated 03.06.2017 registered under Sections 354-D/506 of IPC at Police Station Urban Estate, District Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 26.08.2019 (Annexure P-2).

This Court vide order dated 29.08.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Rohtak and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 31.10.2019 to the effect that the compromise effected between the parties is without any threat or pressure from either of the sides and is a valid one.

Respondent No.2-complainant, namely, Ekta Sangwan has made her statement with regard to compromise before learned Magistrate on 30.10.2019. The same is reproduced as under:-

“Stated that I got lodged FIR No.220 dated 03.06.2017 under Sections 354-D/506 IPC against accused namely Mohit Dahiya at Police Station Urban Estate, Rohtak and now the compromise has been arrived at between me and accused namely Mohit Dahiya and I have no objection if the FIR is quashed. I am making the above statement voluntarily and without any pressure or undue influence.”

Learned State counsel as well as learned counsel appearing on behalf of respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.220 dated 03.06.2017

registered under Sections 354-D/506 of IPC at Police Station Urban Estate, District Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 26.08.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- to be deposited with the Pandit Bhagwat Dayal Sharma Post Graduate Institute of Medical Sciences (PGIMS), Rohtak, within one month from today.

(HARI PAL VERMA)
JUDGE

30.01.2020
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No