

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

CRM-M-35878-2019
Decided on : 05.02.2020

Davinder Singh Kochar & ors.

..... Petitioners

Versus

State of Haryana & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. N.S.Shekhawat, Advocate
for the petitioners.

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

Mr. Deepak Sethi, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.96 dated 24.10.2018 under Sections 323, 376, 406 and 498-A IPC registered at Police Station Women, Yamuna Nagar (Annexure P-1) and the consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Vide order dated 30.08.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 05.11.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 07.11.2019 has since been received from the learned JMIC, Yamuna Nagar at Jagadhari, 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 duplicate alongwith its report.

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, Yamuna Nagar at Jagadhari 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 qua the petitioners.

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

05.02.2020

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No