

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

**CRM-M-40142-2019
Decided on : 26.02.2020**

Rahish Kumar

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vijay Kumar Sheoran, Advocate
for the petitioner(s).

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

Mr. Devender Kumar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 178, dated 25.07.2019, lodged under Sections 323, 406, 498-A, 506 of the Indian Penal Code, registered at Police Station Loharu, District Bhiwani and the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

Reply on behalf of respondent No.1 filed by learned State counsel is taken on record.

Vide order dated 15th October, 2019 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/Duty Magistrate/trial Court within 15 days from the receipt of the copy of that order to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Sub Divisional Judicial Magistrate, Loharu, in pursuance to the direction of this Court,

verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is genuine, voluntarily and without any coercion or undue influence 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 attested copies of statements of the parties, alongwith its report.

Learned counsel for respondent No.2 as well as the petitioner had apprised this Court that the parties have amicably reconciled their disputes and now they are residing together.

Learned State counsel too 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 learned Sub Divisional Judicial Magistrate, Loharu 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

February 26, 2020

m. sharma

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