

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-40534-2019
Date of Decision: 13.02.2020

Rajesh and Ors.

...Petitioner(s)

Versus

State of Haryana and Anr.

...Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Ravi Malik, Advocate
for the petitioners.

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

Mr. Subhash Rana Sidhu, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.1245 dated 04.12.2016 under Sections 323 read with 34, 406, 498-A, 506 IPC, 1860 (Sections 354, 376, 377, 511 of IPC 1860 deleted later on) registered at Police Station Chandnibagh, District Panipat and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 07.09.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 20.09.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 13.11.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 25.11.2019 has since been received from the learned Additional CJM, Panipat 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 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 Additional CJM, Panipat 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.

February 13, 2020
Sunil Devi

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No