

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

**CRM-M-42050 of 2019
Date of decision : 24.02.2020**

Som Nath

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Rakhi Sharma, Advocate for
Mr. Vinod Bhardwaj, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Haryana.

Dr. Naresh Kaushik, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.41 dated 06.08.2018, under Sections 354, 354-A, 452 and 506 IPC, registered at Police Station Women Police Station Kaithal, District Kaithal on the basis of compromise dated 22.09.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 30.09.2019 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 25.11.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Judicial Magistrate Ist Class, Kaithal, in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties. The trial Court has annexed the original copy of the statements of the parties along with its report, in which it has been stated that the compromise is without any

pressure or coercion and out of their free will.

Learned State counsel also 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 Judicial Magistrate Ist Class, Kaithal 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

24.02.2020
rekha sharma

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No