

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

**CRM-M-53367 of 2019
Date of decision : 13.03.2020**

Amit

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Gupta, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Ms. Shallie Mahajan, 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.45 dated 25.02.2019, under Section 406, 498-A, 506, 34 IPC, registered at Police Station Kosli, District Rewari, on the basis of compromise dated 31.08.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 13.12.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Additional Civil Judge (Senior Division)-cum-Sub Divisional Judicial Magistrate, Kosli, 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 volition and out of their free will. The trial Court has annexed the original copy of the statements of the parties along with its report.

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 Additional Civil Judge (Senior Division)-cum-Sub Divisional Judicial Magistrate, Kosli, 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

13.03.2020
rekha sharma

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