

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

**CRM-4473-2020 IN/AND
CRM-M-53937-2019
Decided on : 10.02.2020**

Kuldeep

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Kunal Sawar, Advocate
for the applicant-petitioner(s).

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

Mr. Amit Sidhu, Advocate
for the respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

CRM-4473-2020

This is an application under Sections 482 Cr.P.C. seeking preponement of the date of hearing fixed in the main petition in view of the statements of the parties *qua* the compromise in the instant case, have already been recorded before the trial Court and in respect of which a report too has been received.

Notice of this application.

Mr. D.R. Singla, DAG, Haryana and Mr. Amit Sidhu, Advocate, accept notice on behalf of non-applicant/respondents.

After hearing learned counsel for the parties, perusing the averments made in the application, which is supported by an affidavit, the instant application is allowed and the main is preponed from 21.04.2020 to today itself.

The instant petition is for quashing of FIR No. 279, dated 12.11.2018, lodged under Sections 498-A, 406, 323, 506 IPC, registered at Police Station Chhainsa Faridabad, Haryana (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Vide order dated 17th December, 2019 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 16th January, 2020, to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Faridabad, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. 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 and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed. The trial Court has annexed the statements of the parties in original, alongwith its report.

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 JMIC, Faridabad 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 10, 2020

J.Ram

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