

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

CRM-M-55330-2019

Date of decision : 19.02.2020

Meghanshu Gupta and others

.... Petitioners

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Talim Hussain, Advocate
for the petitioners.

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

Respondent No.2 in person, with
Mr. Diwan S. Adlakha, Advocate.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.0043 dated 03.03.2019, under Sections 323, 376, 406 and 498-A of IPC, registered at Women Police Station, Yamuna Nagar, District Yamuna Nagar on the basis of compromise dated 07.11.2019 (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioners has handed over two drafts amounting to ₹3,50,000/- to respondent No.2 as per the settlement arrived at between the parties. Photocopies of the demand drafts have been placed on record.

Vide order dated 06.01.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 23.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Yamuna Nagar at Jagadhri, 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 petitioners No.1 and 2 and the complainant in original alongwith its report. The names of other two accused, i.e. petitioners No.3 and 4 were deleted by the police during the investigation, therefore, they were not present before the Court below.

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 JMIC, Yamuna Nagar at Jagadhri 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

19.02.2020
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No