

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

123

**CRM-M-3734-2020 (O&M)
Decided on : 06.10.2021**

Jai Parkash

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Manoj Kumar Sood, Advocate
for the applicant-petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana.

None for respondent No.2 (complainant).

MANJARI NEHRU KAUL, J. (Oral)

CRM-32876-2021

This is an application under Section 482 Cr.PC for pre-poning the date of hearing in the main case from 18.11.2021 to an early date.

After hearing learned counsel for the parties, perusing the averments made in the application, same is allowed and the date of hearing in the instant case is advanced from 18.11.2021 to today itself.

CRM-M-3734-2020

The instant petition is for quashing of FIR No. 177, dated 22.10.2016, lodged under Sections 307, 34, 498-A of IPC, registered at Police Station Chhansa, District Faridabad (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of Compromise-deed dated 15.01.2020 (Annexure P-2) arrived at, between the parties.

It has been submitted that all the disputes between the parties have been amicably resolved and they have also filed a joint petition under Section 13-B of the Hindu Marriage Act, 1955, for seeking divorce by way of mutual consent.

Vide order dated 30th January, 2020 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court, on 28.02.2020, to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned AD&SJ, 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 photocopies of the statements of the parties along with 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 AD&SJ, 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

October 06, 2021

J.Ram

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