

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CRM-M-5502-2020 (O&M)
Decided on : 10.08.2021

SANGITA GUPTA

... Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)

PRESENT: Mr. Abhishek Jindal, Advocate for the applicant-petitioner(s).

Ms. Tanushree Gupta, DAG Haryana.

MANJARI NEHRU KAUL, J. (Oral)

CRM-20198-2021

The instant application has been filed for advancing the date of hearing of the main petition from 08.09.2021 to an early date of hearing.

For the reasons mentioned in the application, the same is allowed. ***CRM-M-5502-2020*** is taken on board today itself.

CRM-M-5502-2020

Prayer in the instant petition filed under Section 482 CrPC is for quashing of FIR No.0177, dated 21.04.2018, under Sections 323, 328, 498-A and 506 of the IPC, registered at Police Station Rai, District Sonapat Haryana on the basis of compromise (Annexure P-3) arrived at, between the parties.

Vide order dated 10.02.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 04.03.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Additional District & Sessions Judge, Sonipat 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 copies of statement of the parties with its report.

Learned counsel submits that subsequent to the recording of second motion statements of the parties, the marriage between them stands dissolved.

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 Additional District & Sessions Judge, Sonipat 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

August 10, 2021

S.Sharma(syr)

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