

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

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**CRM-M-15383-2021 (O&M)
Decided on : 15.09.2021**

Satbir Singh

. . . Petitioner(s)

Versus

State of Haryana and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Gagandeep Rana, Advocate
for the applicant-petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana

Mr. Sonu Giri, Advocate
for non-applicant/respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

CRM-28754-2021

This is an application under Section 482 Cr.PC for pre-poning the date of hearing in the main case from 16.12.2021 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 16.12.2021 to today itself.

CRM-M-15383-2021

The instant petition is for quashing of FIR No. 694, dated 28.09.2019, lodged under Sections 120-B, 313, 323, 376(2)(n) of IPC (Sections 120-B, 313, 323, 376(2)(n) of IPC deleted at the time of presenting challan, Annexure P-2), Sections 506, 494 of IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Amendment 2015 (Section 494 of IPC and Section 3 of the SC/ST (Prevention of Atrocities Act, 1989, added at the time of presenting challan, Annexure P-2), registered at Police Station Rohtak City, District Rohtak, Haryana (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of Compromise dated 30.03.2021 (Annexure P-3) arrived at, between the parties.

Vide order dated 07th April, 2021 of this Court, the parties were

directed to appear before the learned Illaqa Magistrate/trial Court on 29th April, 2021, to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned CJM, Rohtak, 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 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 CJM, Rohtak, 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

September 15, 2021

J.Ram

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