

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.225

Case No. : Crl. Misc. No.M-25528 of 2021

Date of Decision : September 27, 2021

Major Sahil Mahajan Petitioner
vs.

State of Haryana and another Respondents

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

Present : Mr. Balwinder Singh, Advocate
for the petitioner.

Mr. Gagandeep Singh Chinna, AAG, Haryana.

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MANJARI NEHRU KAUL, J. (Oral) :

The instant petition is for quashing of FIR No.67 dated 01.07.2020, lodged under Sections 498-A, 406, 34, 506 IPC, registered at Women Police Station, District Ballabgarh and the consequential proceedings arising out of the same, on the basis of Compromise Deed (Annexure P-2) arrived at between the parties.

Vide order dated 02.08.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 26.08.2021 to get their statements recorded regarding the compromise arrived at between them.

Report has since been received from learned Judicial Magistrate Ist Class, 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. As per the report, the parties have also filed a petition under Section 13-B of the Hindu Marriage Act, wherein their second motion statements have been recorded.

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 Judicial Magistrate Ist Class, 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 a 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.

September 27, 2021

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No