

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

252

**CRM-M-25570-2021
Date of decision: 10.09.2021**

SumitPetitioner
Versus

State of Haryana and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

Present : Mr. Pankaj Balil, Advocate
for the petitioner.

Mr. Amreek Singh Narwal, DAG, Haryana
for the respondent-State.
for respondent No.1-State.

Mr. Parveen Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.57, dated 27.08.2019, lodged under Sections 323, 34, 341, 377, 498-A, 506 and 511 of the Indian Penal Code, 1860 (Section 376 of the the Indian Penal Code, 1860 deleted later on) registered at Police Station Women, District Sonipat and the consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexures P-2 and P-3) arrived at, between the parties.

Learned counsel for the parties have submitted that the matter has been compromised between the parties and respondent No.2-complainant started living with the petitioner.

Vide order dated 07.07.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 10.08.2021 to get their statements recorded regarding the compromise

arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Sonapat 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-petitioner is quashed.

The trial Court has annexed the statements of the parties in original, alongwith 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, Sonapat 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.

10.09.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No