

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

253

**CRM-M-28503-2021
Decided on : 18.11.2021**

Sumit Kumar and others

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Dhruv Gupta, Advocate
for the petitioner(s).

Mr. Gagandeep Singh Chhina, DAG, Haryana.

Ms. Sanjana, Advocate
for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 22, dated 15.03.2019, under Sections 323, 376-B, 377, 406, 498-A, 506 of IPC (Sections 376-B & 377 of IPC were deleted later on), registered at Women Police Station, District Ambala (annexed as Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 19.09.2020 (annexed as Annexure P-2).

It has been submitted that in terms of the compromise so arrived at between the parties, they have amicably resolved their disputes and marriage between the parties has also been dissolved by way of mutual consent vide order dated 24.03.2021 (Annexure P-3) of the Family Court, Ambala.

Vide order dated 20th September, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 25th October, 2021, to get their statements recorded, regarding the

compromise arrived at, between them.

Report has since been received from the learned JMIC, Ambala, 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 petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Ambala, 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

November 18, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*