

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33451-2020

Date of Decision: 15.03.2021

Pravesh and others

....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Rishi Nijhawan, Advocate,
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Sandeep Gahlawat, Advocate,
for respondent no.2.

AMOL RATTAN SINGH, J. (Oral)

On 22.02.2021, the following order had been passed:-

“By this petition, the petitioners seek the quashing of FIR no.14, dated 26.02.2016, registered at Women Police Station Kaithal, District Kaithal, alleging therein the commission of offences punishable under Sections 354-A/ (I), 323, 506 of the IPC, read with Section 34 thereof, alongwith all subsequent proceedings arising therefrom, on the basis of a compromise stated to have been reached between the parties to the dispute. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

Pursuant to the order of this court dated 26.10.2020, the report of the learned JMJC, Kaithal, dated 26.12.2020, is on record. Therein it has been stated that as per the assessment of that court the compromise entered between the parties is genuine,

without pressure or coercion, with their statements having been annexed alongwith the report.

As per the statement of respondent no.2, she had compromised the matter of her own free will.

However, firstly there being some problem in the connection of counsel who is stated to be appearing for respondent no.2 and with there being no power of attorney executed in his favour on record, adjourned to 09.03.2021.

A power of attorney executed by respondent no.2 in favour of counsel be positively placed on record by that date.

To be shown in the urgent motion list.”

Today, learned counsel for respondent no.2 has placed his *vakalatnama* on record.

Pursuant to the order dated 26.10.2020, a report of the learned JMIC, Kaithal, dated 26.12.2020, has been received, stating therein that the parties to the petition appeared before that court, with the complainant having made a statement admitting to the compromise; and as per the assessment of that court, the compromise has been entered into of the free will of the parties without any pressure or coercion. Similar statements of the petitioners also have been recorded by that court.

It has also been stated that there is no other person found to be involved in the alleged commission of the offences, whose consent would be required for quashing the FIR (if this court considers it appropriate to do so).

In view of the report of the learned JMIC, Kaithal, and with learned counsel for respondent no.2 also reiterating that the matter has been compromised between the parties, though obviously otherwise it would be a

case involving an offence against a woman, yet, looking at the nature of the offences allegedly having been committed, and the compromise reached between the parties, this petition is allowed and FIR no.14 dated 26.02.2016, registered at Women Police Station Kaithal, District Kaithal, for the alleged commission of offences punishable under Sections 354-A/ (I), 323, 506 of the IPC, read with Section 34 thereof, along with all proceedings emanating therefrom, is hereby quashed.

15.03.2021
adhikari

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No