

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

247

**CRM-M-39436-2021
Decided on : 22.11.2021**

Anurag

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Lakshay Bajaj, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Deepak Sachdeva, Advocate
for respondent No.2-complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 549, dated 30.08.2018, under Sections 323, 406, 498-A, 506, 509 of IPC (Sections 377, 34 of IPC deleted later on), registered at Police Station Samalkha, Panipat (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise-deed dated 10.08.2021 (Annexure P-2).

Learned counsel for the parties submit that the marriage between the parties stands dissolved under Section 13-B of the Hindu marriage Act, 1955.

Vide order dated 22nd 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 SDJM, Samalkha, 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 copies of the statements of the parties in original along with its report.

Learned State counsel too submits that there is 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 SDJM, Samalkha, 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 22, 2021

J.Ram

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