

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

133

CRM-M-46841-2019 (O&M)

Decided on : 02.08.2021

AKBARI 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. Farukh Abdullah, Advocate
for the applicant-petitioner(s).

Ms. Gaganpreet Kaur, AAG Haryana.

MANJARI NEHRU KAUL, J. (Oral)

CRM-22506-2021

The instant application has been filed for advancing the date of hearing of the main petition to an early date of hearing.

For the reasons mentioned in the application, the same is allowed. ***CRM-M-46841-2019*** is taken on board today itself.

CRM-M-46841-2019

Prayer in the instant petition filed under Section 482 CrPC is for quashing of FIR No. 0390, dated 20.09.2019, under Sections 498-A, 406, 506, 376 and 377 of the IPC, registered at Police Station Ferozepur Jhirka and the consequential proceedings arising out of the same, on the basis of compromise dated 09.10.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 11.02.2020 and 08.04.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq

Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Sub-Divisional Judicial Magistrate, Ferozepur Jhirka in pursuance to the direction of this Court. 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. 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 Ld. SDJM, Ferozepur Jhirka 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

August 02, 2021
S.Sharma(syr)

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