

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

242

**CRM-M-52047-2019
Decided on : 05.10.2021**

Rajan

. . . Petitioner(s)

Versus

State of Haryana and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ravi Chadda, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana.

Mr. K.S. Bal, Advocate
for respondent No.2 (complainant).

MANJARI NEHRU KAUL, J. (Oral)

At the outset, learned counsel for the petitioner submits that inadvertently, 'State of Punjab' has been mentioned in the memo of parties, instead of 'State of Haryana'. He made an oral request for change in the title of case and requested that the State of Haryana be impleaded as party instead of 'State of Punjab'.

Allowed as prayed for. The 'State of Haryana' be impleaded as necessary party in the array of respondents. Office to carry out necessary corrections in the memo of parties, accordingly.

The instant petition is for quashing of FIR No. 0114, dated 28.02.2018, lodged under Sections 34, 406, 498-A of IPC, registered at Police Station SGM Nagar, Faridabad, District Faridabad (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of Compromise dated 24.04.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 19th August, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court, on

06th December, 2019, of the coordinate Bench of this Court, regarding the compromise arrived at, between them.

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

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

October 05, 2021

J.Ram

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