

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

256

**CRM-M-36807-2020
Decided on : 07.03.2022**

Vishal Kakar and others

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Varun Dhawan, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Mrigank Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 430, dated 17.08.2020, under Sections 406, 498-A of IPC, registered at Police Station Sector 5, District Panchkula (annexed as Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 30.09.2020 (annexed as Annexure P-2), arrived at between the parties.

Learned counsel for the petitioners submits that on account of a marital discord between the parties, FIR in question came into the existence at the instance of respondent No.2. He further submits that subsequently with the intervention of respectables and well-wishers of the family, the matter stands amicably resolved between the parties. It has also been submitted that the marriage between petitioner No.1 and the complainant wife stands dissolved by way of decree of divorce.

Vide order dated 05th January, 2022, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 09th February, 2022, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned CJM, Panchkula, 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 statements of the parties in original 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 learned CJM, Panchkula, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and in *Narinder Singh and others Vs. State of Punjab and another, 2014(2) R.C.R. (Criminal) 482*, 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

March 07, 2022

J.Ram

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