

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

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(Through Video Conferencing)

CRM-M-50473-2021

Date of decision: 02.02.2022

Vijay Kumar and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naveen Kumar, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana
for respondent No.1-State.

Mr. Arun Kumar Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.539 dated 30.08.2021 lodged under Sections 406, 498-A, 323 and 506 of the Indian Penal Code, 1860 registered at Police Station Shahabad, District Kurukshetra and the consequential proceedings arising out of the same, on the basis of compromise/affidavit dated 12.10.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 02.12.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 05.01.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned SDJM, Shahabad, 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 photocopies of the statements of the parties, alongwith 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. Learned State counsel, on instructions from SI Balbir Walia, has apprised the Court that the cancellation report has also been prepared by the police.

In view of the report of the learned SDJM, Shahabad and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others, (2012) 10 SCC 303* and *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.

02.02.2022
Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No