

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

**CRM-M No.59198 of 2018
Date of Decision: 04.03.2022**

Manoj Kumar and another

..... Petitioners

Versus

State of Haryana and another

..... Respondents

(Heard through video-conferencing)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sarfraj Hussain, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Deepak Grover, Advocate
for respondent No.2.

MANJARI NEHRU KAUL J. (Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.679 dated 03.11.2015, under Sections 498-A, 506, 406, 323 of Indian Penal Code, 1860, registered at Police Station Sector 7, Faridabad, District Faridabad and all the subsequent proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Learned counsel for the petitioners submits that the FIR in question came into existence on account of matrimonial dispute between petitioner No.1 and respondent No. 2. However, subsequently with the intervention of respectables and family members, the parties arrived at an amicable settlement.

Vide order dated 04.02.2020 of this Court, the parties were directed to appear before the Illaqa Magistrate/trial Court, Faridabad on 28.02.2020 for getting their statements recorded with regard to the factum of compromise so effected between them.

Report dated 29.02.2020 has since been received from the Judicial Magistrate, 1st Class, Faridabad 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 threat or pressure from either side and is made out of free volition of the parties. The trial Court has annexed the statement of the parties alongwith its report.

Learned State counsel submits that he does not oppose the prayer made for quashing of the above-said FIR. He further 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 Judicial Magistrate, 1st Class, 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 along with all subsequent proceedings arising out of them, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

04.03.2022
rittu

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No