

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

CRM-M No.3739 of 2021

Date of decision: 31st January, 2023

Manoj Kumar & others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.K. Tripathi, Advocate for the petitioners.

Mr. Chetan Sharma, Assistant Advocate General, Haryana
for the respondent No.1/State.

Mr. V.K. Tripathi, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.160 dated 01.10.2019 (Annexure P-1) under Sections 148, 149, 323, 325, 379-B, 506 IPC registered at Police Station B.P.T.P., District Faridabad along with all consequential proceedings arising therefrom on the basis of compromise dated 08.01.2021 (Annexure P-2) effected between the parties.

Vide order dated 28.01.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 25.02.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Additional Sessions Judge, Faridabad, in pursuance of 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 including that of the injured witnesses i.e. complainant Dharmender and injured Mann Singh in original, 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.

In view of the report of the learned Additional Sessions Judge, 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 v. 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

January 31, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No