

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

254

**CRM-M-35837-2022
Date of decision: 24.01.2023**

Aanand Kumar and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lalit Kumar Yadav, Advocate
for the petitioners.

Mr. Surender Singh, AAG, Haryana
for respondent No.1-State.

Mr. Badal Malik, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.0681 dated 06.11.2021 lodged under Sections 147, 149, 323, 365, 427 and 506 of the Indian Penal Code, 1860 registered at Police Station Sadar Gurgaon District Gurugram and the consequential proceedings arising out of the same, on the basis of compromise/affidavit dated 26.07.2022 (Annexure P-2) arrived at, between the parties.

Vide order dated 16.08.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 26.08.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Additional Chief Judicial Magistrate, Gurugram 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 he would have no objection if the FIR *qua* the accused-petitioners is quashed. Statement of injured Kanhaiya, who is not a party to the instant petition, has also been recorded to the same effect.

The Trial Court has annexed the statements of the parties in original, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 and injured Kanhaiya are the only aggrieved person in the FIR in question.

In view of the report of the learned Additional Chief Judicial Magistrate, Gurugram 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.

24.01.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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