

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

CRM-M No.53338 of 2023
Date of decision: 15th December, 2023

Himanshu Rajput

... Petitioner

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vishal Sharma, Advocate for the petitioner.

Ms. Jasleen Chahal, Asst. Advocate General, Haryana
for the respondent/State.

Mr. Arjun Kundra, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.0161 dated 23.07.2023 under Section 408 IPC registered at Police Station Civil Lines, District Gurugram along with all consequential proceedings arising therefrom on the basis of compromise dated 11.10.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 19.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Chief Judicial Magistrate, Gurugram, 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 he would have no objection if the FIR qua the accused-petitioner is quashed.

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

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

6. In view of the report of the learned 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 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 qua the petitioner, are quashed.

7. 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

December 15, 2023

rps

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