

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

296

CRM-M-7959-2024

Date of decision: 18.04.2024

Satish GargPetitioner
Versus

State of Haryana and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Munish Kumar Garg, Advocate and
Ms. Bhawna Thakur, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

Mr. Vikas Mehra, Advocate and
Mr. Gandhi Lal Aggarwal, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.261 dated 10.06.2019 under Sections 409 of the IPC registered at Police Station City Tohana, District Fatehabad and all consequential proceedings arising out of the same, on the basis of compromise dated 03.02.2024 (Annexure P-6) arrived at, between the parties.

2. Reply by way of affidavit of Shamsher Singh, HPS, Deputy Superintendent of Police, Tohana, District Fatehabad, on behalf of respondent No.1-State has been filed in the Court today which is taken on record subject to all just exceptions.

3. Vide order dated 16.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 18.03.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Sub

Divisional Judicial Magistrate, Tohana, in pursuance of the directions 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.

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

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Tohana 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 qua petitioner.

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

18.04.2024
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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