
(2021) 02 P&H CK 0310

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 236 Of 2021

Pardeep Kumar

APPELLANT

Vs

State Of Haryana And Another

RESPONDENT

Date of Decision : 25-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 324, 326

Citation : (2021) 02 P&H CK 0310

Hon'ble Judges : Manjari Nehru Kaul, J

Bench : Single Bench

Advocate : Jitender S. Chahal, Rajiv Goel, Ravinder Malik

Final Decision : Allowed

Judgement

Manjari Nehru Kaul, J

The instant petition is for quashing of FIR No. 133, dated 26.06.2020, lodged under Sections 324, 326 IPC (Section 326 IPC added later on), registered

at Police Station Chappar, District Yamuna Nagar (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of

compromise and affidavit dated 09.12.2020 (Annexures P-2 & P-3) arrived at, between the parties.

Vide order dated 07th January, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 22nd

January, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Yamuna Nagar at Jagadhri, 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 she

would have no objection if the FIR qua the accused-petitioners is quashed. The trial Court has annexed the statements in original of the parties along with its report.

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.

In view of the report of the learned JMIC, Yamuna Nagar at Jagadhri, 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.

At this stage, learned counsel for the petitioner has also apprised the Court that the petitioner is in custody.

Since the FIR is quashed, therefore, the petitioner is ordered to be released forthwith, if he is not required in any other case.