

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

CRM-M-2523-2018 (O&M)

Date of Decision:-14.8.2018

Shelly Maggu

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hitesh Ghai, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Saurabh Sharma, Advocate for
Mr. Munish Garg, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks quashing of FIR No.103 dated 26.10.2015 registered under Sections 380 and 34 of Indian Penal Code, 1860 at Police Station Division No.3, Ludhiana and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 22.1.2018, the parties had been directed to appear before the trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Ludhiana has been received, wherein it has been reported that the statements of complainant Dimple Kumar Maggu and also of the accused Shelly Maggu, who is wife of the complainant, have been recorded to the effect that they have compromised the matter and that the complainant has no objection in

case the FIR in question is quashed. It has specifically been opined that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

In view of the aforesaid compromise and bearing in mind that it is a case of some dispute between husband and wife and also bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.103 dated 26.10.2015 registered under Sections 380 and 34 of Indian Penal Code, 1860 at Police Station Division No.3, Ludhiana and all the consequent proceedings arising therefrom are hereby quashed.

14.8.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No