

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23315-2019 (O&M)

Date of Decision:- 9.12.2019

Opinder Kumar and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurjinder Singh Thind, Advocate, for the petitioners.

Ms. Rashmi Attri, AAG, Punjab,
assisted by HC Varinder Kumar.

Mr. H.S.Sangotha, Advocate, for
Mr. M.S.Virk, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.141, dated 26.12.2013, registered at Police Station Women Cell, District Patiala, under Sections 406, 498-A of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise effected between the parties.
2. Vide order dated 22.5.2019, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.
3. Learned counsel for the petitioner has today informed that in fact pursuant to the compromise the marriage of petitioner No.1 and

respondent No.2 already stands dissolved by mutual consent vide judgment and decree dated 6.12.2019 passed by Family Court, Patiala.

4. Report of learned Judicial Magistrate 1st Class, Patiala, has been received, wherein it has been reported that statements of petitioners/accused Opinder Kumar, Vijay Kumar and Shanti Devi and also of complainant Sujata have been recorded to the effect that they have compromised the matter amongst themselves.
5. The complainant in her statement has specifically stated that she has no objection in case the FIR in question is quashed.
6. The learned Judicial Magistrate 1st Class, Patiala, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
7. In view of the aforesaid compromise and 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.141, dated 26.12.2013, registered at Police Station Women Cell, District Patiala, under Sections 406, 498-A of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners.

December 9, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No