

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

**CRM-M-107 of 2020
Date of decision : 24.02.2020**

Himanshu Arora

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Munish Khangwal, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Himanshu Monga, Advocate
for respondent No.2/complainant.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.78 dated 31.10.2018, under Section 498-A IPC, registered at Police Station City Banga, District Shaheed Bhagat Singh Nagar on the basis of compromise (in view of statements (P-2, P-3, (colly) & P-4) arrived at, between the parties.

Vide order dated 07.01.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 29.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar, in pursuance to the direction of this Court. 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. The trial Court has annexed the original copy of the statements of the parties along with its report.

Learned State counsel also 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 Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar 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.

(MANJARI NEHRU KAUL)
JUDGE

24.02.2020
rekha sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No