

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

**CRM-M-2548-2020
Decided on : 26.02.2020**

Rohtash Kumar

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Nidhi Bansal, Advocate for
Mr. Madhur Sharma, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Shakti Mehta, Advocate for
Mr. Brij Bhushan, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No.9, dated 13.05.2018, lodged under Sections 406 and 498-A of the Indian Penal Code, registered at Police Station NRI, Ludhiana, Punjab and the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

Vide order dated 22nd January, 2020 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 27.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Chief Judicial Magistrate, Ludhiana, 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

coercion and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed. The trial Court has annexed the photocopies of statements of the parties, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioner and respondents No.2 and 3 are the only aggrieved person in the FIR in question.

In view of the report of the learned Chief Judicial Magistrate, Ludhiana 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

February 26, 2020

m. sharma

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*