

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

CRM-M-35844-2018

Date of decision : 19.02.2020

Maninderjit Singh and another

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arun Takhi, Advocate
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. S.S. Chatrath, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.0071 dated 28.06.2017, under Sections 498-A, 406 and 506 of IPC and Section 66(B) of IT Act, registered at Police Station Hariana, District Hoshiarpur on the basis of compromise deed dated 21.07.2018 (Annexure P-2) arrived at, between the parties.

Vide order dated 20.08.2018 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within one month from the passing of that order, to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Hoshiarpur, 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 statements of petitioner No.2, Mohan Singh-attorney and father of petitioner No.1 and the complainant in original alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Hoshiarpur 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

19.02.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No