

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

**CRM-M-46801-2018
Decided on : 07.02.2020**

Pawan Kumar

... Petitioner

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Aditya Sanghi, Advocate
for the petitioner.

Ms. Devaki Anand Sullar, AAG, Punjab.

Mr. Siddharth Sharma, Advocate
for respondent No. 2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 101, dated 21.05.2018, under Sections 406, 498-A IPC, registered at Police Station City Kapurthala, District Kapurthala and the consequential proceedings arising out of the same, on the basis of compromise deed dated 08.10.2018 (Annexure P-2) arrived at, between the parties.

Vide order dated 4th December, 2018 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 8th January, 2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the CJM, Kapurthala, 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 attested photocopies of the statements of the parties alongwith its report.

Learned State counsel too submits that there is 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 CJM, Kapurthala 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 07, 2020

Mehak

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