

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

**CRM-M-32123-2019
Decided on : 20.01.2020**

Rakesh Kumar Verma

. . . Petitioner(s)

Versus

State of UT Chandigarh and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arjun Sheoran, Advocate
for the petitioner(s).

Mr. Mandeep Sindhu, Advocate for
Mr. Anil Kumar Lamdharia, Addl. PP, UT Chandigarh.

Mr. Amrinder Singh, Advocate and
Ms. Preeti Manderna, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 93, dated 07.12.2018, under Section 498-A IPC, registered at Women Police Station Sector 17, Chandigarh and the consequential proceedings arising out of the same, on the basis of settlement agreement dated 10th July, 2019 (Annexure P-4) arrived at, between the parties.

Vide order dated 01st October, 2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 13th November, 2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Chandigarh, 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 between the parties and

the same is without any pressure or coercion and out of their free will 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 copies of statements of the parties in original alongwith its report.

Parties are present in-person in Court today.

To fulfill the remaining part of settlement agreement, a demand draft bearing No. "004213", dated 17.01.2020, in the sum of ₹ 3,00,000/-, has been handed over to the complainant-Aarti (respondent No.2), who is present in Court. Photocopy of the said demand draft is taken on record.

Counsel for the parties submit that all the terms and conditions of the settlement agreement have been complied with.

Learned State counsel too 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 JMIC, Chandigarh 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

January 20, 2020

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No