

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

267

**CRM-M-35138-2019
Decided on : 28.01.2020**

JASWINDER SINGH AND ANOTHER

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. R.K. Arya, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab.

Dr. Payal Mehlan, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 16, dated 26.01.2019, under Sections 406 and 498-A IPC, registered at Police Station Mullanpur, District SAS Nagar, Mohali and the consequential proceedings arising out of the same, on the basis of written compromise (Annexure P-2) arrived at, between the parties.

Vide order dated 27.08.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 30.10.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Kharar, 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

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 Ld. JMIC, Kharar 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 28, 2020

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No