

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

CRM-M-35301-2019
Decided on : 06.03.2020

Mohit Gupta

..... Petitioner

Versus

State of Punjab & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ishan Gupta, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Amandeep Chhabra, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.59 dated 26.12.2017 under Sections 406, 498-A, 377 and 109 IPC registered at Police Station Women, Bathinda and all the consequential proceedings arising therefrom on the basis of compromise deed (Annexure P-1) arrived at between the parties.

Vide order dated 28.08.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within 15 days from the date of order to get their statements recorded regarding the compromise arrived at, between them.

Report dated 07.09.2019 has since been received from the learned JMIC, Bathinda 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 photocopies of the statements of the parties alongwith its report.

Learned State counsel also 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.

Learned counsel for respondent No.2 submits that the marriage between the parties has since been dissolved by the Family Court, Bathinda vide order dated 05.02.2020 under Section 13-B of the Hindu Marriage Act, 1955.

In view of the report of the learned JMIC, Bathinda 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 qua the petitioner.

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

06.03.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No