

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

**CRM-M-35306-2019
Decided on : 22.01.2020**

Gurpreet Singh

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Imran Farooqi, Advocate
for the petitioner(s).

Ms. Devaki Anand Sullar, Asstt. AG, Punjab
assisted by ASI Balwant Singh.

Ms. Jyotika, Advocate for
Mr. Parmod Kumar, Advocate
for the respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 124, dated 04.11.2015, lodged under Sections 406, 498-A, 323 IPC, registered at Police Station Women Police Cell, District Patiala and the consequential proceedings arising out of the same, on the basis of compromise/settlement agreement dated 31.07.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 29th August, 2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 22nd October, 2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Patiala, 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.

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, Patiala 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 22, 2020

J.Ram

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