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

**CRM-M-38101-2019
Decided on: 27.01.2020.**

BHARAT SHARMA

.....Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Piyush Khanna, Advocate
for the petitioner.

Mr. Sandeep Kumar, Advocate
for respondent No.2.

Ms. Jaspreet Kaur, AAG Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 0030, dated 12.02.2019, under Sections 498A & 406 of IPC, registered at Police Station Phagwara, District Kapurthala, 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 09.09.2019 of this court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 14.11.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned SDJM,

Phagwara, 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 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 Ld. SDJM, Phagwara and the principles laid down by the Apex Court in *Gain 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.

27.01.2020
monika*

(MANJARI NEHRU KAUL)
JUDGE

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