

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

**CRM-M-38542-2019
Decided on : 22.01.2020**

Sonu and others

. . . Petitioner(s)

Versus

Union Territory Chandigarh and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Rajiv Sharma, Advocate
for the petitioner(s).

Mr. Sukant Gupta, Addl. PP UT Chandigarh.

MANJARI NEHRU KAUL, J. (Oral)

Counsel for the parties have brought to the notice of this Court that inadvertently, in the memo of parties 'State of Punjab' has been written instead of 'Union Territory Chandigarh', as the FIR in question has been lodged in Sector 17, Chandigarh.

The mistake is inadvertent and typographical. Accordingly, the 'State of Punjab', be read as 'Union Territory Chandigarh' and office is directed to carry out necessary corrections, wherever, it occurs.

The instant petition is for quashing of FIR No. 99, dated 17.08.2019, under Sections 406, 498-A IPC, registered at Police Station Women Police, Sector 17, Chandigarh and the consequential proceedings arising out of the same, on the basis of compromise deed dated 24.07.2019 (Annexure P-2) arrived at, between the parties as well as supportive affidavits dated 26.08.2019 (Annexures P-3 & P-4, respectively).

Vide order dated 11th September, 2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on

11th November, 2019 to get their statements recorded regarding the

compromise arrived at, between them.

Report has since been received from the JMIC, Chandigarh, 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 copies of the statements of the parties in original, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners 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 22, 2020

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No