

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

**CRM-M-38902-2019
Decided on :03.02.2020**

Jaidev

... Petitioner(s)

Versus

UT Chandigarh and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr.Prashant Bansal, Advocate
for the petitioner(s).

Mr.Deepinder Brar, Addl. PP for UT Chandigarh with
SI Sat Narain.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No.12, dated 03.03.2018, under Sections 406, 498-A IPC, registered at Women Police Station, District Chandigarh, and the consequential proceedings arising out of the same, on the basis of written compromise dated 04.09.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 12.09.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 15.11.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Judicial Magistrate Ist Class, Chandigarh, 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.

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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. Judicial Magistrate Ist Class, 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

February 03, 2020

dharamvir

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