

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

CRM-M-44553-2019
Decided on : 06.03.2020

Brijesh Sharma & anr.

..... Petitioners

Versus

State of Punjab & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Surinder Sharma, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Naveen Sharma Moudgil, 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.271 dated 14.12.2017 under Sections 406 and 498-A IPC registered at Police Station Goraya, District Jalandhar Rural (Annexure P-1) on the basis of compromise deed (Annexure P-2) arrived at between the parties.

Vide order dated 18.10.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 06.12.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 20.12.2019 has since been received from the learned JMIC, Phillaur 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 also 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.

Learned counsel for respondent No.2 submits that respondent No.2 has started living with the petitioner No.1 as husband and wife.

In view of the report of the learned JMIC, Phillaur 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

sonia

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No