

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

**CRM-M-44603-2019
Decided on : 12.03.2020**

Amrik Singh

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Upender Prasher, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Saurabh Garg, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No.0040, dated 05.06.2018, lodged under Sections 406 and 498-A of the Indian Penal Code, registered at Police Station Women, District Commissionerate, Amritsar and the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

Vide order dated October 18, 2019 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 09.12.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Judicial Magistrate Ist Class, Amritsar, 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 genuine, without any pressure

effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed. The trial Court has annexed the photocopies of the statements of the parties, 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 Judicial Magistrate Ist Class, Amritsar, 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

March 12, 2020

m. sharma

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*