

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

**CRM-M-57189-2018
Decided on : 15.01.2020**

Gursharan Singh

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ravi Malhotra, Advocate
for the petitioner(s).

Ms. Devaki Anand Sullar, Asstt. AG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 57, dated 12.03.2018, under Section 376 IPC, registered at Police Station Kapurthala, District Kapurthala and the consequential proceedings arising out of the same, on the basis of compromise deed dated 27th July, 2018 (Annexure P-3) arrived at, between the parties.

Vide order dated 27th August, 2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 16th October, 2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned CJM, Kapurthala, 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 without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she

would have no objection if the FIR *qua* the accused-petitioner is quashed..
The trial Court has annexed the attested copies of statements of the parties
alongwith its report.

Besides above, it would be pertinent to notice, as has also been
brought to the notice of this Court that the parties have since solemnized
their marriage with each other on 23rd September, 2018. Thereafter, they
have been blessed with a child as well. They are reportedly residing happily
with each other.

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 CJM, Kapurthala 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 15, 2020

J.Ram

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