

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

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**CRM-M-1110-2021 (O&M)
Decided on : 02.08.2021**

Anil Kumar Goyal

. . . Petitioner(s)

Versus

State of U.T. Chandigarh and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Ms. Aanchal Thakur, Advocate
for the applicant-petitioner(s).

Mr. Rajeev Anand, Addl. PP, UT Chandigarh.

Ms. Sukhjeet Kaur, Advocate
for non-applicant/respondent No.2 (complainant).

MANJARI NEHRU KAUL, J. (Oral)

CRM-22227-2021

Annexures P-5 to P-8 filed along with the application are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

CRM stands disposed of.

CRM-22228-2021 IN/AND
CRM-M-1110-2021

CRM-22228-2021 has been filed under Section 482 Cr.P.C. seeking pre-ponement of case and for disposing of the main petition by quashing of FIR No. 38, dated 08.04.2020, registered under Sections 406, 498-A of IPC, lodged at Police Station Women, Chandigarh (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 22.11.2020 (Annexure P-2) arrived at, between the

parties.

After hearing learned counsel for the parties, perusing the averments made in the application, same is allowed and the date of hearing in the instant case is advanced from 04.08.2021 to today itself.

Vide order dated 11 January, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 18th January, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Chandigarh, 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 photocopies of the statements of the parties along with its report.

Learned Addl. PP, UT, Chandigarh 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 JMIC, Faridabad, 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

August 02, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*