

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

125

**CRM-M-2396-2021 (O&M)
Decided on : 25.08.2021**

GURBAJ SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Nishad Ahuja, Advocate
for the applicant-petitioner(s).

Mr. Amit Mehta, Sr. DAG Punjab.

MANJARI NEHRU KAUL, J. (Oral)

CRM-25948-2021

The instant application has been filed for advancing the date of hearing in the main petition from 17.11.2021 to an early date of hearing.

For the reasons mentioned in the application, same is allowed.

Main case i.e., ***CRM-M-2396-2021*** is taken on board today itself.

CRM-M-2396-2021

The instant petition is filed under Section 482 CrPC for quashing of FIR No.117 dated 15.09.2018 under Section 406 and 498-A of the IPC, registered at Police Station Daroha, Police District Khanna, District Ludhiana and all the consequential proceedings arising therefrom on the basis of compromise dated 28.01.2020 (Annexure P-3).

Vide order dated 19.01.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 10.02.2021 to get their statements recorded regarding the compromise

arrived at, between them.

Report has since been received from the learned SDJM, Payal 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 along with 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 Ld. SDJM, Payal 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 25, 2021
S.Sharma(syr)

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