

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

(Proceedings through Video Conferencing)

**CRM-M-2591-2020 (O&M)
Date of Decision : 19.08.2021**

Sandeep Khandwal

..... Petitioner

Versus

Union Territory, Chandigarh and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Anil Kumar Joshi, Advocate
for the petitioner.

Mr. Shashank Bhandari, Addl. Public Prosecutor
for the respondent-UT, Chandigarh.

Mr. Vivek Kathuria, Advocate
for respondent No.2-complainant.

MANJARI NEHRU KAUL (Oral)

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.0014 dated 05.03.2018, registered under Section 498-A IPC (Section 406 IPC added lateron) at Women Police Station, Chandigarh and all the consequential proceedings arising out of the same, on the basis of compromise/settlement between the parties.

Learned counsel for the petitioner submits that the marriage between the parties stands dissolved by decree of divorce.

Learned counsel put in appearance on behalf of respondent No.2-complainant does not dispute the factum of compromise and the submission made by learned counsel for the petitioner.

Vide order dated 12.07.2021 of this Court, the parties were

directed to appear before the learned trial Court/Illaq Magistrate on 19.07.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 20.07.2021 has since been received from the JMIC, Chandigarh in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is genuine, voluntary and without any undue influence or coercion. The trial Court has annexed the photocopies of the statements of the parties alongwith its report.

Learned State counsel also 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, Chandigarh 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

19.08.2021
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No