

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

236

CRM-M-4828-2020

Decided on : 22.07.2021

Major Dr. Priyank Gupta

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. J.S. Yadav, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana.

Ms. Ramandeep Kaur, Advocate
for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 22, dated 02.04.2019, lodged under Sections 406, 498-A of IPC, registered at Police Station City Kurali, District SAS Nagar (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of settlement/compromise dated 17.12.2019 (Annexure P-3) arrived at, between the parties.

Vide order dated 03rd February, 2020 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 15th February, 2020, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Kharar, 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 statements in original of the parties 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 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

July 22, 2021
J.Ram

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