

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

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CRM-M-9824-2021 (O&M)

Decided on : 02.08.2021

KARAN KUMAR AND ANR

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

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

PRESENT: Mr. Manjinder Singh Saini, Advocate
for the applicant-petitioner(s).
Mr. Luvinder Sofat, AAG Punjab.

Mr. Vishal Sharma, Advocate for respondent No.2

MANJARI NEHRU KAUL, J. (Oral)

CRM-22152-2021

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

For the reasons mentioned in the application, the same is allowed. **CRM-M-9824-2021** is taken on board today itself.

CRM-M-9824-2021

Prayer in the instant petition filed under Section 482 CrPC is for quashing of FIR No. 0021, dated 11.03.2017, under Sections 406 and 498-A of the IPC, registered at Police Station Khamano, District Fatehgarh Sahib and the consequential proceedings arising out of the same, on the basis of compromise dated 05.02.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 02.03.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on

10.03.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Sub-Divisional Judicial Magistrate, Khamanon 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 copy of the statements 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 Ld. SDJM, Khamanon 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
S.Sharma(syr)

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