

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7469-2020 (O&M)
Date of Decision: 20.04.2021

HARPREET SINGH AND OTHERSPetitioners

V/s.

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. Satbir Rathore, Advocate,
for the applicants-petitioners.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

Mr. Chander Kant Thakur, Advocate,
for respondent No. 2.

MANJARI NEHRU KAUL, J. (Oral)

CRM-11131-2021

Application is allowed as prayed for.

CRM-M-7469-2020

The instant petition is for quashing of FIR No.1, dated 02.01.2020, lodged under Section 406, 498-A of the Indian Penal Code, 1860, registered at Police Station Dasuya, Distirct Hoshiarpur, and the consequential proceedings arising out of the same, on the basis of compromise/affidavit (Annexure P-2) arrived at, between the parties.

Vide order dated 19.02.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.03.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 24.03.2021 has since been received from learned Sub Divisional Judicial Magistrate, Dasuya, 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, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate 1st Class, Jalandhar 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.

April 20, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**