

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

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CRM-M-7962-2020

Decided on : 10.08.2021

Pradeep Kumar and another

... Petitioner(s)

Versus

State of U.T. Chandigarh and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Ms. Aanchal Thakur, Advocate
for the petitioner(s).

Mr. Abhinav Gupta, Addl. PP, UT Chandigarh.

Mr. Hakam Singh, Advocate
for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 89, dated 02.08.2017, lodged under Section 498-A of IPC, registered at Police Station Women, Chandigarh (Annexure P-1) and all the consequential proceedings arising out of the same viz. Challan dated 22.05.2018 (Annexure P-2) and charge-sheet dated 30.08.2018 under Sections 498-A and 406 of IPC (Annexure P-3), on the basis of compromise dated 29.01.2020 (Annexure P-4) arrived at, between the parties.

Vide order dated 24th February, 2020 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 23rd March, 2020, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Chandigarh, 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-petitioners is quashed. The trial Court has annexed the photocopies of the statements of the parties along with 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 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

August 10, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*