

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

264

**CRM-M-10872-2021
Date of decision: 07.12.2021**

Ravi Kant Sood and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rahul Bhargava, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab
for respondent No.1-State.

Mr. Rahul Rampal, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.004, dated 26.08.2020, lodged under Sections 406 and 498-A IPC registered at Police Station Women, District SAS Nagar, Mohali and the consequential proceedings arising out of the same, on the basis of compromise dated 06.01.2020 (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioners submits that the instant FIR came into being on account of a matrimonial dispute between petitioner No.1 and respondent No.2, however, now the matter stands amicably settled between them. It has also been submitted that a joint petition under Section 13-B of the Hindu Marriage Act, 1955 was filed by the parties before the Family Court and the marriage between the parties has been dissolved.

Learned counsel appearing for respondent No.2 does not

dispute the submissions made by counsel opposite and the factum of compromise arrived at between the parties.

Vide order dated 09.03.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 07.04.2021 to get their statements recorded regarding the compromise arrived at, between them.

However, on application-CRM-22015-2021, vide order dated 28.07.2021 the parties were again directed to appear before the Court concerned on 02.08.2021 for recording their respective statements qua the factum of compromise.

Report has since been received from learned Judicial Magistrate, Ist Class, SAS Nagar, Mohali, 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 copies of 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, Ist Class, SAS Nagar, Mohali 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.

07.12.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No