

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

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**CRM-M-12290-2021
Decided on : 23.12.2021**

Gurpreet Singh and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. D.S. Pheruman, Advocate
for the petitioner(s).

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Tarundeep Kumar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 12, dated 03.02.2016, under Sections 498-A, 406 of IPC, registered at Police Station Jhabal, District Tarn Taran (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 01.03.2021 (Annexure P-2), arrived at between the parties.

Learned counsel for the petitioners submits that it was on account of marital discord between the parties, the FIR in question came into existence. However, vide compromise dated 01.03.2021 (Annexure P-2), the matter has been amicably settled between the parties and a joint petition under Section 13-B of the Hindu Marriage Act, for dissolution of marriage by way of mutual consent shall be filed shortly.

Learned counsel for respondent No.2 does not dispute the aforesaid fact.

Vide order dated 03rd August, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on

25th August, 2021, to get their statements recorded in terms of order dated 01st April, 2021, regarding the compromise arrived at, between them.

Report has since been received from the learned ACJM, Tarn Taran, 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 statements of the parties in original 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 ACJM, Tarn Taran, 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

December 23, 2021

J.Ram

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