

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

CRM-M-8892 of 2020
Decided on : 07.04.2021

Ranvir Singh Petitioner

Versus

State of Punjab & anr. Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr.Akhil Kashyap, Advocate, for
Mr.P.K.Kataria, Advocate, for the petitioner.

Mr.Prabhjot Singh Walia, AAG, Punjab.

Mr.Anish Verma, Advocate, for
the complainant/respondent No.2.

Manjari Nehru Kaul, J.

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.56 dated 20.09.2016 under Sections 406, 498A IPC, registered at Police Station Rawalpindi, District Kapurthala and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 03.02.2020 (Annexure P-2) arrived at, between the parties.

Vide order dated 28.02.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 27.03.2020 to get their statements recorded regarding the compromise arrived at, between them but due to lock down, the parties could not appear before the Court below for recording their statements with regard to compromise. Thereafter, vide order dated 12.02.2021, both the parties were directed to appear on 08.03.2021 before the Court

below for recording their respective statements and the trial Court was ordered to submit its report on or before 07.04.2021.

Report dated 12.03.2021 has since been received from the learned Judicial Magistrate Ist Class, Phagwara, in pursuance to the direction of this Court. As per the report, the complainant has got recorded her statement with respect to compromise having been effected with the petitioner. However, the trial Court has submitted that the statement of the petitioner could not be recorded through video conferencing as the requisite facilities were not available there.

Learned counsel for the complainant has submitted that ever since the matter having been amicably settled between the parties the complainant has been happily living in her matrimonial home at Phagwara since February 2020, hence the present FIR along with all the consequential proceedings arising out of the same may be quashed.

Learned State counsel also submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved persons in the FIR in question.

In view of the report of the learned Judicial Magistrate Ist Class, Phagwara, 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.

(MANJARI NEHRU KAUL)
JUDGE

07.04.2021
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable:</i>	<i>Yes/No</i>