

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

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**CRM-M-15711-2021
Decided on : 25.10.2021**

Utwinder Singh

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Jagjot Singh Lalli, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. N.S. Dandiwal, Advocate
for respondent No.2-complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 26, dated 15.03.2018, lodged under Sections 406, 498-A of IPC, registered at Police Station Women Women, District Police Commissionerate, Ludhiana (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 03.02.2020 (Annexure P-2) arrived at, between the parties.

Vide order dated 08th April, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 21st May, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Learned counsel for the petitioners submits that subsequent to the compromise arrived at between the parties, the marriage between the parties stands dissolved vide decree of divorce dated 28th September, 2020, which has been appended along with the petition as Annexure P-3.

Report has since been received from the learned JMIC, Ludhiana, 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 petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Ludhiana, 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

October 25, 2021

J.Ram

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