

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

225

(Through Video Conferencing)

CRM-M-13673-2019

Date of decision: 09.12.2021

Vaibhav Bansal and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gopal Singh Nahel, Advocate
for the petitioners.

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

Mr. Ankush Singla, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.250, dated 18.09.2018, lodged under Sections 498-A and 406 IPC registered at Police Station City Sangrur, District Sangrur and the consequential proceedings arising out of the same, on the basis of compromise dated 05.03.2019 (Annexure P-3) arrived at, between the parties.

Learned counsel for the petitioners submits that in compliance of order dated 28.09.2021, the parties have got their statements recorded before learned Chief Judicial Magistrate, Sangrur. He submits that during pendency of the instant petition, the marriage between the parties has also been dissolved by a decree of divorce under Section 13-B of the Hindu Marriage Act, 1955.

Learned counsel for respondent No.2 does not dispute the factum of compromise and also the submissions made by learned counsel for the petitioners to the effect that the marriage between the

parties has been dissolved by a decree of divorce under Section 13-B of the Hindu Marriage Act, 1955.

Vide order dated 28.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 27.10.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Chief Judicial Magistrate, Sangrur, 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 a 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, 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 Chief Judicial Magistrate, Sangrur 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.

09.12.2021

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(MANJARI NEHRU KAUL)
JUDGE

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