

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

CRM-M-30345-2018 (O&M)
Decided on : 23.11.2021

Rohit Sharma & ors.

..... Petitioners

Versus

State of Punjab & others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.B.S.Dhillon, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.01 dated 11.02.2017 under Sections 406 and 498-A IPC registered at Police Station NRI, Patiala District Patiala and all the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioner submits that on account of a marital discord between petitioner No.1 and respondent No.2, FIR in question was registered against the petitioners. He further submits that subsequently the matter stands amicably resolved between the parties and the marriage between the parties stands dissolved by way of decree of divorce in Australia.

Vide order dated 27.07.2018 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within a period of one month to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 23.08.2018 has since been received from the JMIC, Patiala in pursuance to the direction of this Court. 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. The trial Court has annexed the photocopies of the statement of the parties alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioners and respondents No.2 and 3 are the only aggrieved persons in the FIR in question.

In view of the report of the learned JMIC, Patiala 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(s) is allowed. The aforesaid FIR along with all consequential proceedings arising out of them, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

23.11.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No