

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

CRM-M-20800-2021

Date of decision: 07.09.2021

Sarabjit Kaur

.....Petitioner.

vs.

State of Punjab and another

.....Respondents.

CORAM: - HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: - Mr. H.S. Thiara, Advocate, for the petitioner.

Mr. Amit Mehta, Senior Deputy Advocate
General, Punjab.

.....

Manjari Nehru Kaul, J. (ORAL)

The instant petition is for quashing of FIR No. 105, dated 19.06.2014 under Sections 498-A of IPC, registered at Police Station Model Town Hoshiarpur, District Hoshiarpur, Punjab, and all the consequential proceedings arising out of the same, on the basis of settlement/compromise dated 08.03.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 02.07.2021, passed by this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 02.08.2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Hoshiarpur, 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-petitioner is quashed. The trial Court has annexed the statements in original 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, Faridabad, 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

07.09.2021

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no