

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

CRM-M-21500-2021

Date of decision: 07.09.2021

Rajat Kumar Johar and others**.....Petitioners.****vs.****State of Punjab and another****.....Respondents.****CORAM: - HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: - Mr. Mrigank Sharma, Advocate, for the petitioners.

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

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Manjari Nehru Kaul, J. (ORAL)

The instant petition is for quashing of FIR No. 92 dated 11.12.2014 under Sections 498-A/406 IPC, registered at Police Station jalandhar, Women Cell, District Jalandhar and all the consequential proceedings arising out of the same, on the basis of settlement/compromise dated 17.12.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 02.07.2021, of 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, Jalandhar, 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 photocopies of the statements of the parties along with its report.

Mr. Rajat Khanna, learned counsel has put in appearance for respondent No. 2 and has admitted to the factum of compromise. He has submitted that a joint petition under Section 13-B of the Hindu Marriage Act, has been filed by the parties.

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

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