

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

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CRM-M-22138-2021

Date of decision: 09.11.2021

Jatinder Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab
for respondent No.1-State.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.68, dated 10.09.2020, lodged under Sections 323, 324, 326, 498-A, 406 and 34 IPC registered at Police Station Bakhshiwala, District Patiala and the consequential proceedings arising out of the same, on the basis of compromise dated 23.09.2020 (Annexure P-2) arrived at, between the parties.

The FIR in question came into existence on account of a matrimonial dispute which has now been resolved.

Vide order dated 27.07.2021 of Coordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 10.08.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Patiala, 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 further apprised the Court a joint petition under Section 13-B of the Hindu Marriage Act, 1955 too has been filed by the parties.

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 Judicial Magistrate, Ist Class, 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 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.

09.11.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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