

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

225

(Through Video Conferencing)

CRM-M-26067-2021

Date of decision: 24.09.2021

Madhur Vij and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mohit Sadana, Advocate
for the petitioners.

Mr. Luvinder Sofat, Asstt. A.G., Punjab
for respondents No.1 to 3.

Mr. Ishan Gupta, Advocate
for respondent No.4.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.76, dated 18.05.2021, lodged under Sections 498-A, 406 and 120-B of the Indian Penal Code, 1860 registered at Police Station City Sangrur and the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

Vide order dated 29.07.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 24.08.2021 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 statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed.

The trial Court has annexed copies of the statements of the parties alongwith its report.

Learned counsel for the petitioners and learned counsel for respondent No.4 have submitted that the marriage between the parties also stands dissolved under Section 130-B of the Hindu Marriage Act, 1955.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.4 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.

24.09.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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