

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

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**CRM-M-31664-2020
Decided on : 17.12.2021**

Tarlok Nath

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab

None for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 16, dated 05.10.2012, under Sections 406, 498-A of IPC, registered at Police Station NRI, Jalandhar (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise in the shape of petitioner filed under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P-2).

Learned counsel for the petitioner submits that it was on account of marital discord between the parties, the FIR in question came into existence. However, later on, the matter has been amicably settled between the parties and the parties have filed a joint petition under Section 13-B of the Hindu Marriage Act, for dissolution of their marriage by way of mutual consent.

Vide order dated 27th October, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 18th November, 2021, to get their statements recorded in terms of order dated 24th August, 2021, regarding the compromise arrived at, between them.

Report has since been received from the learned CJM (NRI

Court), 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-petitioners is quashed. The trial Court has annexed the statements of the parties in original along with its report.

Learned State counsel too submits that there is 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 CJM (NRI Court), Jalandhar, 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

December 17, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*