

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

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**CRM-M-27972-2021
Decided on : 18.11.2021**

Kulwant Singh and others

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Ajay Kalra, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Maninder Singh, Advocate
for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 133, dated 29.05.2021, under Sections 498-A, 361, 363, 120-B of IPC, Section 12 of the Protection of Women from Domestic Violence Act, registered at Police Station Sadar, Amritsar (annexed as Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of settlement/memorandum of understanding dated 07.06.2021 (annexed as Annexure P-4).

Due to a matrimonial discord between the parties, the FIR in question came into being, however, subsequently, vide settlement/memorandum of understanding dated 07.06.2021 (Annexure P-4), the parties have amicably resolved their disputes. Besides, this Court has been apprised that the complainant-wife (respondent No.2) has returned to her matrimonial home and is now residing with her husband (petitioner No.2).

Vide order dated 20th September, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 25th

October, 2021, to get their statements recorded in terms of order dated 20th July, 2021, regarding the compromise arrived at, between them.

Report has since been received from the learned ACJM, Amritsar, 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 photocopies of the statements of the parties along with 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 ACJM, Amritsar, 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

November 18, 2021

J.Ram

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