

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

**CRM-M No.26596 of 2021
Date of Decision: 15.11.2021**

Pankaj Kumar and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

(Heard through video-conferencing)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vaibhav Narang, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Ashwani Chaudhary, Advocate
for respondent No.2.

MANJARI NEHRU KAUL J. (Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.0107 dated 28.12.2019 under Sections 498-A, 406 of IPC, 1860 registered at Police Station Women, District Patiala and all the consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Vide order dated 13.09.2021 of this Court, the parties were directed to appear before the Illaqa Magistrate/learned trial Court on 14.10.2021 to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 14.10.2021 has since been received from the District & Sessions Judge, Patiala in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between

the parties and the same is genuine, voluntary without any force, coercion or undue influence and out of free will of the parties. The trial Court has annexed the original copies of the statement of the parties alongwith its report.

Learned State counsel also 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. He further submits that the Investigating Agency has presented the cancellation report before the Court concerned.

In view of the report of the 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(s) is allowed. The aforesaid FIR along with all consequential proceedings arising out of them, 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 15, 2021

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No