

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

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**CRM-M-27544-2021
Date of decision: 06.12.2021**

Gurcharanjeet Singh and anotherPetitioners

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ritesh Pandey, Advocate
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.09, dated 03.03.2019, lodged under Sections 498-A, 406 and 120-B IPC registered at Police Station Behrampur, District Gurdaspur and the consequential proceedings arising out of the same in view of the compromise/petition under Section 13-B dated 06.03.2020 (Annexure P-2).

Vide order dated 20.07.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.08.2021 to get their statements recorded regarding the compromise arrived at, between them.

However, vide order dated 28.10.2021, on application-CRM-35751-2021 the parties were again directed to appear before the Court below on 02.11.2021 for recording their respective statements.

Learned counsel for the petitioners submits that in

compliance of order dated 28.10.2021, the parties appeared before the learned Judicial Magistrate 1st Class, Gurdaspur and got their statements recorded qua the compromise arrived at between them vide Annexure P-2. Learned counsel submits that the parties have also filed a joint petition under Section 13-B of the Hindu Marriage Act, 1955 which stands allowed and the marriage between the parties has since been dissolved by a decree of divorce.

Report has since been received from learned Judicial Magistrate, Ist Class, Gurdaspur, 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, 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, Gurdaspur 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.

06.12.2021

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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