

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

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**CRM-M-28394-2021
Decided on : 20.09.2021**

Vishnu Mehta

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Ish Mahajan, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Vishesh Dogra, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 91, dated 16.04.2021, lodged under Section 498-A of IPC, registered at Police Station City Kapurthala, District Kapurthala (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of affidavit/compromise dated 10.07.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 22nd July, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 23rd August, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned CJM, Kapurthala, 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 petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned CJM, Kapurthala, 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

September 20, 2021

J.Ram

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