

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

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**CRM-M-30137-2021
Decided on : 17.12.2021**

Amtoj Singh and others

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Nitesh Sanghi, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab

Mr. Varun Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 0153, dated 05.07.2019, under Section 498-A of IPC, registered at Police Station Tanda, District Hoshiarpur (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 18.03.2021 (Annexure P-2).

Learned counsel for the petitioners submits that it was on account of marital discord between the parties, the FIR in question came into existence. However, later on, with the intervention the relatives and elders of the family, 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, wherein, first motion statements of both the parties have recorded.

Vide order dated 19th August, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 14th September, 2021, to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC

Dasuya, 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 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 JMJC Dasuya, 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*