

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

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**CRM-M-29833-2021
Decided on : 28.10.2021**

Anjana Pathania @ Anjana Devi and another

... Petitioner(s)

Versus

Union Territory, Chandigarh and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Naresh Kumar, Advocate for
Mr. K.S. Dadwal, Advocate
for the petitioner(s).

Mr. Anupam Bansal, APP, UT Chandigarh
assisted by ASI Karamjeet Singh.

Mr. Neeraj Khanna, Advocate
for respondent No.2-complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 54, dated 20.06.2020, lodged under Sections 406, 498-A of IPC, registered at Police Station Women Cell, Chandigarh (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise-deed dated 14.02.2021 (Annexure P-2).

It was essentially a matrimonial discord between the parties, due to which the FIR in question came to be registered. But later on, the parties had resolved their dispute and entered into an compromise-deed on 14.02.2021 (annexed as Annexure P-2) and filed a joint petition under Section 13-B of the Hindu Marriage Act, 1955, for getting divorce by way of mutual consent.

Vide order dated 31st August, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on

29th September, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Chandigarh, 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 copies of 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 JMIC, Chandigarh, 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

October 28, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No