

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

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(Through Video Conferencing)

CRM-M-31743-2021

Date of decision: 04.10.2021

Charan Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ramesh Sharma, Advocate
for the petitioners.

Mr. Luvinder Sofat, Asstt. A.G., Punjab
for respondent No.1-State.

Mr. Kapil Khanna, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.44, dated 11.09.2020, lodged under Sections 406, 498-A, 294 and 506 of the Indian Penal Code, 1860 registered at Police Station Women, District Police Commissionerate Jalandhar and the consequential proceedings arising out of the same, on the basis of compromise dated 03.02.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 09.08.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 07.09.2021 to get their statements recorded regarding the compromise arrived at, between them. However, vide order dated 20.09.2021, the parties were again directed to appear before the trial Court/Illaq Magistrate on 27.09.2021 as they could not appear before the trial Court/Illaq Magistrate on 07.09.2021.

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

04.10.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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