

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

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**CRM-M-32390-2021
Decided on : 01.11.2021**

Rohit Garg and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Mayank Mathur, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. N.G. Sharma, Advocate
for respondent No.2-complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 63, dated 14.03.2010, lodged under Sections 406, 498-A of IPC, registered at Police Station Civil Lines, Patiala (Annexure P-1) and all the consequential proceedings arising out of the same, including the judgment and order dated 23.01.2017 (Annexure P-2), passed by Id. JMIC, Patiala, on the basis of compromise dated 10.07.2021 (Annexure P-3).

Learned counsel for the petitioners has submitted that in view of the compromise arrived at between the parties, the disputes between the parties have been resolved and after getting divorce, both petitioner No.1 and respondent No.2 (complainant) have remarried and settled in their respective lives.

Vide order dated 13th August, 2021, of the coordinate Bench of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 08th October, 2021, to get their statements

recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned ADJ, Patiala, 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 petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned ADJ, Patiala, 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

November 01, 2021

J.Ram

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