

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

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**CRM-M-35362-2021
Decided on : 25.11.2021**

Surinder Singh and others

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. A.K. Khunger, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

None for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of Criminal Complaint No. 1096, dated 30.04.2013 (Annexure P-1), under Sections 494, 406, 498-A of IPC as well as summoning order dated 25.09.2014 (Annexure P-2), passed by the Court below and judgment and order dated 19.08.2016 (Annexure P-3), passed by JMIC, Fazilka and all the consequential proceedings arising out of the same, on the basis of compromise dated 07.08.2021 (Annexure P-5).

Vide order dated 27th August, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 15th September, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned ACJM, Fazilka, 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 ACJM, Fazilka, and the principles laid down by the Apex Court in ***Criminal Appeal No. 1393 of 2021, titled as, "Ramawatar Vs. State of M.P.", decided on 25.10.2021 (LL 2021 SC 589)***, and in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***, 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 25, 2021

J.Ram

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