

CRR-942-2017 (O&M)
Date of decision: 07.09.2021

VS.

State of PunjabRespondent.

Present: - Mr. Preetinder Singh Ahluwalia, Advocate,
for the petitioners.

Mr. Amit Mehta, Senior Deputy Advocate
General, Punjab.

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

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Manjari Nehru Kaul, J. (ORAL)

Present revision has been preferred against the impugned orders of conviction and sentence, passed by the Courts below. The petitioners were convicted and sentenced vide order dated 26.03.2015 passed by the Sub Divisional Judicial Magistrate, Batala, under Sections 406, 498-A of the IPC and appeal against the said order was dismissed vide order dated 27.02.2017 passed by the Additional Sessions Judge, Gurdaspur. Thereafter, CRM-21068-2019 was moved by the petitioners in the instant petition, for compounding the offences in view of compromise dated 22.04.2019 (Annexure P-6).

Learned counsel for the petitioners has placed reliance upon **Manohar Singh Vs. State of Madhya Pradesh, 2014(13) SCC 75** as well as **Sau. Maya Sanjay Khandare Vs. State of**

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I attest to the accuracy and integrity of this document

Maharashtra, Criminal Application No.709 of 2020.

On the last date of hearing i.e. 01.07.2021, a statement was made by both the learned counsel for the parties that the matter has been amicably settled between the parties and the petitioners have started living together in the matrimonial home. Both the parties were directed to appear before the learned Chief Judicial Magistrate, Gurdaspur, on 10.08.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Chief Judicial Magistrate, Gurdaspur, in pursuance to the direction of this Court. 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. 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 the complainant is the only aggrieved person in the FIR in question.

In view of the report of the Ld. Chief Judicial Magistrate, Gurdaspur and the principles laid down by the Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, and the ratio laid down in **Manohar Singh Vs. State of Madhya Pradesh, 2014(13) SCC 75** as well as **Sau. Maya Sanjay Khandare Vs. State of Maharashtra, Criminal Application No.709 of 2020.** the instant petition is allowed.

As a sequel to the above, FIR and consequential proceedings including the impugned order dated 26.03.2015 passed by the Sub Divisional Judicial Magistrate, Batala, convicting and

sentencing the petitioners, under Sections 406, 498-A of the IPC and the dismissal order dated 27.02.2017 passed by the Additional Sessions Judge, Gurdaspur, 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

07.09.2021

preeti	
whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no