

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

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**CRM-M-36547-2021**

**Date of decision: 16.11.2021**

Davinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Krishan Kanha, Advocate for  
Mr. Narinder S. Lucky, Advocate  
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab  
for respondent No.1-State.

Mr. Navjit Singh, Advocate  
for respondent No.2.

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**MANJARI NEHRU KAUL, J. (ORAL)**

The instant petition is for quashing of FIR No.38, dated 02.11.2019, lodged under Sections 498-A and 406 IPC registered at Police Station Women, District Police Commissionerate Amritsar and the consequential proceedings arising out of the same, on the basis of terms and conditions settled in mutual divorce petition under Section 13-B of the Hindu Marriage Act, 1955 dated 26.08.2021 (Annexure P-2), between the parties.

Vide order dated 06.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.09.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Amritsar, 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-petitioner is quashed.

The trial Court has annexed the statements of the parties in original, alongwith its report.

Learned State counsel too submits that there is no other accused other than the petitioner 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, Amritsar 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.

16.11.2021

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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