

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-37562-2021 (O&M)
Decided on : 12.11.2021

Amit Kapoor & ors.

..... Petitioners

Versus

State of Punjab & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sachit Kaushal, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.144 dated 09.07.2019 under Sections 498-A and 406 IPC registered at Police Station Samrala and all the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioner submits that on account of a marital discord between the parties, FIR in question came into the existence. He further submits that subsequently the matter was amicably settled and a joint petition under Section 13-B of Hindu Marriage Act, 1955 has been filed by the parties.

Vide order dated 10.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 11.10.2021 to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 26.10.2021 has since been received from the Addl. Civil Judge(Sr. Div.)-cum-SDJM, Samrala 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 original copies of the statement of the parties alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioners and the respondent is the only aggrieved person in the FIR in question.

In view of the report of the learned Addl. Civil Judge(Sr. Div.)-cum-SDJM, Samrala 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(s) is allowed. The aforesaid FIR along with all consequential proceedings arising out of them, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

12.11.2021
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No