

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

CRM-M-38898-2021

Date of Decision: 18.11.2021

Bippenjit Singh and othersPetitioners

Versus

State of U.T.Chandigarh and another..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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(Through video conferencing)

Present: Capt. Arun Sharma, Advocate
for the petitioners.

Mr. Ankur Bali, Addl. PP, UT, Chandigarh.

Mr. Anurag Singh Tagra, Advocate
for respondent No.2.

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MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No.178 dated 24.12.2019 under Sections 406, 498-A IPC registered at Police Station, Chandigarh along with its subsequent proceedings on the basis of compromise deed dated 15.07.2021 (Annexure P2) arrived at, between the parties.

Vide order dated 21.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 25.10.2021 to get their statements recorded regarding the compromise arrived at between them.

Report has since been received from learned Judicial

Magistrate, Ist Class, Chandigarh, 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 before the Mediation and Conciliation Centre, District Courts, Chandigarh and a petition had also been filed by the parties under Section 13-B of the Hindu Marriage Act. It is also mentioned in the report that the compromise is without any pressure or coercion and out of the free will of the parties 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 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 Judicial Magistrate, Ist Class, Chandigarh 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.

18.11.2021
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(MANJARI NEHRU KAUL)
JUDGE