

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

**CRM-M-38212 of 2021**

**Date of Decision:-17.11.2021**

**Munish Sharma & Ors.**

.....Petitioners.

Versus

**State of U.T., & Anr.**

.....Respondents.

**(Heard through Video Conferencing)**

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

Present:- Mr. Gaurav Gupta, Advocate for the Petitioners.

Ms. Simsi Dhir Malhotra, APP U.T., Chandigarh.

\*\*\*

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

Instant petition has been filed under Section 482 Cr.P.C. For quashing of FIR No.143 dated 17.10.2019 registered under Sections 406 and 498-A IPC registered at Women Police Station, Chandigarh and all consequential proceedings arising therefrom on the basis of the compromise dated 20.07.2021 (Annexure P-2).

FIR in question came into existence on account of marital discord between the parties.

Vide order dated 15<sup>th</sup> September, 2020 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 14<sup>th</sup> October, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, 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 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 in original of the parties along with its report.

Learned State counsel on instructions from SI Ram Lubhaya too submits that there are 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 JMIC, 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.

( MANJARI NEHRU KAUL )  
JUDGE

November 17, 2021  
Vinay

|                                         |                      |
|-----------------------------------------|----------------------|
| <b><i>Whether speaking/reasoned</i></b> | <b><i>Yes/No</i></b> |
| <b><i>Whether reportable</i></b>        | <b><i>Yes/No</i></b> |