

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

241

**CRM-M-38169-2021
Decided on : 17.11.2021**

Rajinder Kumar and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: None for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

None for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 230, dated 25.11.2015, under Sections 323, 406, 498-A, 148 of IPC, registered at Police Station City Kharar, SAS Nagar (Mohali) (annexed as Annexure P-2) and all the consequential proceedings arising out of the same, on the basis of compromise-deed dated 13.09.2016 (Annexure P-2).

Vide order dated 16th September, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 14th October, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned SDJM, Kharar, 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-petitioners is quashed. The trial Court has annexed the photocopies of 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 SDJM, Kharar, 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

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*