

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

CRM-M-40341-2021 (O&M)
Decided on : 25.11.2021

Gurcharan Singh & anr.

..... Petitioners

Versus

State of Haryana & others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Namit Khurana, Advocate
for the petitioners.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.117 dated 09.09.2018 under Sections 346 and 498-A (added later on) IPC registered at Police Station Jathlana District Yamuna Nagar 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 petitioners submits that on account of a marital discord between the parties, FIR in question was registered against the petitioners. He further submits that subsequently the matter stands amicably resolved between the parties and are now residing together in the matrimonial home.

Vide order dated 28.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 26.10.2021 to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 29.10.2021 has since been received from the JMIC, Yamuna Nagar at Jagadhri 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 respondents are the only aggrieved persons in the FIR in question.

In view of the report of the learned JMIC, Yamuna Nagar at Jagadhri 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.

25.11.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No