

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

227

**CRM-M-35607-2020
Decided on : 14.01.2021**

Gurmeet Kaur and others

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner(s).

Mr. H.S. Sitta, AAG, Punjab
assisted by SI Premchand.

Ms. Rajwant Kaur, Advocate
for the respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 13, dated 11.02.2020, lodged under Sections 376, 34 IPC and Sections 3, 4 of SC and ST (Prevention of Atrocities) Act, 1989, registered at Police Station Lakhewali, District Sri Muktsar Sahib (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Vide order dated 03rd November, 2020 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 08th December, 2020, to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Malout, 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 copy statements of the parties alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Malout 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

January 14, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*