

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-34210-2019
Decided on : 22.12.2021

Rupinder Singh & anr.

..... Petitioners

Versus

State of Punjab & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Yashpal Thakur, Advocate
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Shranav Katyal, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.24 dated 06.03.2018 under Sections 307, 324, 323, 498-A and 34 IPC registered at Police Station Khamano, District Fatehgarh Sahib 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 FIR in question was got registered on account of a matrimonial dispute between the parties. However, subsequently the parties have ironed out all their differences and arrived at an amicable settlement. He further submits that the marriage between the parties now stands dissolved by way of decree of divorce under Section 13-B of Hindu Marriage Act.

Learned counsel for respondent No.2 does not dispute the submissions made by the counsel opposite.

Vide order dated 18.11.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 22.11.2021 to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 26.11.2021 has since been received from the Addl. District & Sessions Judge, Fatehgarh Sahib 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 photocopies of the statements of the parties alongwith its report.

Learned State counsel also 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 Addl. District & Sessions Judge, Fatehgarh Sahib 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.

22.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No

