

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

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**CRM-M-39290-2020
Decided on : 17.11.2021**

Mohit Pal Singh and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ajay Singh Bhattian, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Randeep Singh, Advocate
for respondent No.2-complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 155, dated 17.07.2020, under Sections 406, 498-A of IPC, registered at Police Station City Rajpura, District Patiala (Punjab) (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 18.08.2020 (Annexure P-2).

It has been submitted that pursuant to the compromise dated 18.08.2020 (Annexure P-2) effected between the parties, all the disputes between the parties have been resolved and the parties have dissolved their marriage by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955.

Vide order dated 26th November, 2020, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 17th December, 2020, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned SDJM, Rajpura, 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, Rajpura, 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.

A prayer has been made by learned counsel for respondent No.2 that the demand draft in the sum of Rs. 6,25,000/- be released to the complainant, which was ordered to be kept in the Registry in a sealed cover vide order dated 06.10.2021. The registry is directed to release said demand draft to the complainant-respondent No.2 forthwith in terms of order dated 06th October, 2021, against proper receipt.

(MANJARI NEHRU KAUL)
JUDGE

November 17, 2021

J.Ram

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