

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

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CRM-M-45133 of 2021

Date of Decision: 14.12.2021

Manik Garg and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Karan Pathak, Advocate and
Mr. Puneet Bali, Advocate for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

None for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

The instant petition is for quashing of FIR No.13 dated 19.09.2020, lodged under Sections 406, 498-A and 120-B of the Indian Penal Code, 1860, registered at Police Station Women, District Ferozepur and 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 petitioner submits that on account of a matrimonial dispute between the parties, the FIR in question came to be registered. However, subsequent to the registration of the FIR, the parties have arrived at an amicable settlement and also filed a joint petition under Section 13-B of the Hindu Marriage Act.

Vide order dated 28.10.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Ferozepur, 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 statements of the parties in original, alongwith 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 Judicial Magistrate, Ist Class, Sirsa 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.

14.12.2021

D.Bansal

(MANJARI NEHRU KAUL)
JUDGE