

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

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**CRM-M-45640-2021
Decided on : 17.12.2021**

Bachan Singh and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Luvinder Sofat, AAG, Punjab

Mr. Jatin Sharma, Advocate for
Mr. Lokesh Gollen, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 20, dated 24.02.2016, under Sections 323, 406, 498-A of IPC, registered at Women Police Station, Patiala, District Patiala (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise/joint affidavit dated 20.03.2021 (Annexure P-2).

Learned counsel for the petitioners submits that it was on account of matrimonial dispute between the parties that the FIR in question came to be registered. However, later on, the matter has been amicably settled between the parties and the parties.

Vide order dated 02nd November, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 17th November, 2021, to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Patiala, 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 JMIC, Patiala, 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

December 17, 2021

J.Ram

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