

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

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CRM-M-45717-2019 (O&M)

Decided on : 29.10.2021

OCTOBER SINGH @ AKTUBAR SINGH AND ORS

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Yashpal Marken, Advocate
for the applicant-petitioner(s).

Ms. Jaspreet Kaur, AAG Punjab.

Mr. Vikram Satpal, Advocate
for the respondent No.2

MANJARI NEHRU KAUL, J. (Oral)

CRM-34576-2021

The instant application has been filed for advancing the date of hearing in the main petition from 03.12.2021 to an early date of hearing.

For the reasons mentioned in the application, same is allowed.

Main case i.e., ***CRM-M-45717-2019*** is taken on board today itself.

CRM-M-45717-2019

The instant petition is filed under Section 482 CrPC for quashing of FIR No.01 dated 05.01.2016 under Sections 406 and 498-A of

the IPC, registered at Police Station NRI Police Station, Ludhiana, District Ludhiana City and all other consequential proceedings arising therefrom on the basis of compromise dated 20.07.2019 (Annexure P-2).

Learned counsel submits that pursuant to the petition filed under Section 13-B of the Hindu Marriage Act, the marriage between the parties stands dissolved.

Vide order dated 17.03.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 25.03.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Ludhiana 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 statements of the parties in original 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, Ludhiana 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

October 29, 2021
S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>