

130 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-20309-2021 in/and
CRM-M-48932-2019
Date of Decision: 23.07.2021**

(Through Video Conferencing)

Gagan Banga

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Dinesh Arora, Advocate, for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Deepak Girotra, Advocate for respondent No.2.

MANJARI NEHRU KAUL J. (Oral)

CRM-20309-2021

This is an application under Section 482 Cr.PC for preponing the date of hearing from 20.08.2021 to an early date.

After hearing learned counsel for the applicant and with no objection from the opposite counsel, application is allowed and the main case is taken up for hearing today itself.

Main case

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No. 2 dated 06.01.2016 under Sections 406, 498-A IPC, registered at Police Station City Hoshiarpur, District Hoshiarpur and all the consequential proceedings arising out of the same, on the basis of

compromise deed dated 18.07.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 13.02.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within 15 days to get their statements recorded regarding the compromise arrived at, between them.

Report dated 09.03.2020 has since been received from the JMIC, Hoshiarpur in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is genuine and voluntary. The trial Court has annexed the photocopies of the statements of the parties alongwith its report.

Learned counsel for the petitioner states that the matter has been amicably settled between the parties. He apprised this Court that during the pendency of the instant petition, the marriage between the parties stands resolved under Section 13-B of the Hindu Marriage Act.

Learned State counsel also submits that he has no objection, if the present FIR has been quashed.

In view of the report of the learned JMIC, Hoshiarpur 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

July 23, 2021
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No