

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

**CRM-M-2606-2020
Date of Decision : 13.09.2021**

Nirmal Shokeen and another Petitioners
Versus

State of Haryana and another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Virender Kumar, Advocate
for the petitioners.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Mr. Parvesh Kumar Baniwal, Advocate
for respondent No.2.

MANJARI NEHRU KAUL (Oral)

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.0080 dated 11.02.2015, registered under Sections 323, 498-A and 506 IPC, at Police Station Palam Vihar, Gurugram (Gurgaon), District Gurugram.

Learned counsel for the petitioners submits that the marriage between the parties stands dissolved by decree of divorce under Section 13-B of the Hindu Marriage Act.

Learned counsel put in appearance on behalf of respondent No.2-complainant does not dispute the factum of compromise and the submission made by learned counsel for the petitioners.

Vide order dated 08.07.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on

17.08.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 19.08.2021 has since been received from the JMIC, Gurugram 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, voluntary and without any undue influence or coercion. The trial Court has annexed the photocopies of the statements of the parties alongwith its report.

Learned State counsel also 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, Gurugram 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.

13.09.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No