

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

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**CRM-M-2995-2020
Decided on : 02.03.2022**

Harshit Ohri and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Ranjan Lakhanpal, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Ankush Singla, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 140, dated 05.06.2019, under Sections 406, 498-A, 506 of IPC and Section 66-E of the IT Act, 2000, registered at Police Station Kotwali, Patiala (annexed as Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise arrived at between the parties..

Learned counsel for the petitioners submits that the FIR in question has arisen out of a matrimonial dispute between the parties. However, subsequently, with the intervention of the relatives, family friends and well wishers, the parties had amicably resolved their disputes. Accordingly, the parties had obtained the divorce by way of mutual consent in a joint petition u/s 13-B of the Hindu Marriage Act, 1955, vide judgment & decree dated 05.02.2020.

Vide order dated 23rd January, 2020, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 20th February, 2020, to get their statements recorded, regarding the

compromise arrived at, between them.

Report has since been received from the learned CJM, 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 learned CJM, Patiala, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and in *Narinder Singh and others Vs. State of Punjab and another, 2014(2) R.C.R. (Criminal) 482*, 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

March 02, 2022

J.Ram

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