

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(Through Video Conferencing)

**CRM- 4228 of 2022 in/and
CRM-M-29406 of 2019
Date of Decision:21.2.2022**

Kulwinder Singh and another

---Petitioners

versus

State of Punjab and others

---Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. H.P.S.Ghuman, Advocate
for the petitioners

Ms. Jaspreet Kaur, AAG, Punjab

Mr. Randeep Singh, Advocate
for respondent No. 2

MANJARI NEHRU KAUL, J.

CRM- 4228 of 2022

Prayer in this application is for preponement of the date of hearing in the main petition.

Heard.

In view of averments made in the application and arguments advanced, the application is allowed. The date is preponed to today and the main case is taken on Board today itself.

CRM-M- 29406 of 2019

The instant petition is for quashing of FIR No.76, dated 9.6.2015, lodged under Sections 406, 498-A, 323, 341 and 506 of the Indian Penal Code, 1860 registered at Police Station Amloh, District Fatehgarh Sahib and the consequential proceedings arising out of the same, on the

basis of compromise dated 1.6.2019 (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioners submits that on account of a matrimonial dispute between the parties, FIR in question came into existence at the instance of respondent No.2. He submits that subsequently with the intervention of respectables and well-wishers parties have ironed out all their differences and arrived at an amicable settlement.

Learned counsel appearing for respondent No.2 does not dispute the submissions made by counsel opposite and also does not oppose the prayer for quashing of the FIR on the basis of compromise.

Vide order dated 4.3.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 12.3.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Amloh 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 statements of the parties in original, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 and 3 are the only

aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate, Ist Class, Amloh 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 *Narinder Singh and others Vs. State of Punjab and another, 2014(2) RCR (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

21.2.2022
PARAMJIT

Whether speaking/reasoned: Yes

Whether reportable : Yes/No