

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

235

(Through Video Conferencing)

CRM-M-46251-2021

Date of decision: 24.02.2022

Abhishek Bose

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sumant De, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab
for respondent No.1-State.

Dr. Sumati Jund, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.0002, dated 04.01.2020, lodged under Sections 406 and 498-A IPC registered at Police Station Dhakoli, District SAS Nagar and the consequential proceedings arising out of the same, on the basis of compromise dated 25.10.2021 (Annexure P-3) arrived at, between the parties.

Learned counsel for the petitioner submits that it was on account of a marital discord between the petitioner and respondent No.2-complainant that the FIR in question came to be registered against the petitioner. It has been submitted that subsequent to the registration of the FIR in question, a compromise dated 25.10.2021 has been arrived at between the parties vide Annexure P-3.

Learned counsel appearing for respondent No.2 does not

dispute the submissions made by counsel opposite and also does not oppose the quashing of the FIR on the basis of compromise arrived at between the parties.

Vide order dated 16.11.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 02.12.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Dera Bassi 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 a statement to the effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed.

The trial Court has annexed copies of the statements of the parties alongwith 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 Judicial Magistrate, Ist Class, Dera Bassi 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.

24.02.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No