

**HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-49986-2021
Decided on : 01.02.2022

..... Petitioner

Versus

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.S.Jaidka, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Abhishek Khullar, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

This is the second petition filed under Section 482 Cr.PC for quashing of FIR No.80 dated 15.10.2018 under Sections 498-A and 406 IPC registered at Police Station Women, District Ludhiana and all the consequential proceedings arising out of the same, on the basis of compromise dated 11.10.2021 (Annexure P-1) arrived at, between the parties.

Learned counsel for the petitioners submits that FIR in question emanates from the matrimonial dispute between the parties. He further submits that subsequent to the registration of the FIR in question, the parties have arrived at an amicable settlement vide compromise (Annexure P-1) dated 11.10.2021. It has also been submitted that the marriage between the petitioner and respondent No.2 i.e. the complainant wife already stands dissolved by a decree of divorce under Section 13-B of the Hindu Marriage Act, 1955 on 01.07.2019.

Vide order dated 01.12.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their

respective statements recorded regarding the compromise arrived at, between them.

Report dated 06.01.2022 has since been received from the JMIC, Ludhiana in pursuance to the direction of this Court. 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. The trial Court has annexed the statements of the parties in original alongwith its report.

Learned State counsel assisted by counsel for respondent No.2 also submits that there is no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Ludhiana and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303* and *Narinder Singh and others Vs. State of Punjab and another 2014(2) R.C.R. (Criminal) 482*, the instant petition(s) is allowed. The aforesaid FIR along with all consequential proceedings arising out of them, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

01.02.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No