

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

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**CRM-M-49651-2021
Decided on : 09.02.2022**

Pardeep Sharda

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Jasraj Singh, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. S.K. Chaudhary, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 101, dated 28.07.2021, under Section 498-A of IPC, registered at Police Station Division No.1, District Pathankot (annexed as Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 12.10.2021 (annexed as Annexure P-2), arrived at between the parties.

Learned counsel for the petitioner submits that subsequent to the registration of the FIR in question, petitioner No.1 and respondent No.2 have amicably settled their disputes and also filed a joint petition under Section 13-B of the Hindu Marriage Act, 1955, for dissolution of marriage by way of mutual consent, wherein, their first motion statements have been recorded.

Vide order dated 09th December, 2021, of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 07th January, 2022, to get their statements recorded, regarding the

compromise arrived at, between them.

Report has since been received from the learned ACJM, Pathankot, 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 along with its report.

Learned State counsel too 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 learned ACJM, Pathankot, 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

February 09, 2022

J.Ram

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