

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

228

(Through Video Conferencing)

CRM-M-50662-2021(O&M)

Date of decision: 04.02.2022

Rahul Sharma

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. D.S. Walia, Advocate
for the petitioners.

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

Mr. Ivneet Pabla, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No. 0001, dated 05.01.2019 (Annexure P-1), under Sections 406, 498-A of IPC, registered at Police Station Women SAS Nagar, and all the subsequent proceedings arising therefrom, on the basis of compromise dated 23.11.2021 (Annexure P-2).

Learned counsel for the petitioner submits that it was on account of a marital discord between the parties, the FIR in question came into existence. However, vide compromise-deed (Annexure P-2), the parties have amicably resolved their disputes and respondent No.2 (complainant) has returned to her matrimonial home.

Vide order dated 03.12.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 05.01.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, SAS Nagar, 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 the statements of the parties alongwith 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 Judicial Magistrate, Ist Class, SAS Nagar 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.

04.02.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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