

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

229

(Through Video Conferencing)

CRM-M-52638-2021

Date of decision: 18.02.2022

Akram @ Akram Khan and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mohd. Salim, Advocate
for the petitioners.

Mr. Bhupender Beniwal, Asstt. A.G., Punjab
for respondent No.1-State.

Mr. Arvinder Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.95, dated 15.08.2021, lodged under Sections 307, 323, 34 and 498-A IPC registered at Police Station Sadar Ahmedgarh, District Sangrur and the consequential proceedings arising out of the same, on the basis of compromise dated 10.12.2021 (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioners submits that the FIR in question came into existence on account of a marital discord between respondent No.2 and her husband i.e. petitioner No.1, however, subsequently with the intervention of the respectables and well-wishers of the family, the parties amicably resolved their dispute vide Annexure P-2 dated 10.12.2021. Learned counsel submits that in compliance of order dated 16.12.2021, the parties have got their respective statements recorded before the Court concerned. Learned counsel has also

submitted that respondent No.2 has since returned to her matrimonial home where she is now living happily with petitioner No.1.

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

Vide order dated 16.12.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 17.01.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Malerkotla, 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 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, Malerkotla 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.

18.02.2022

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(MANJARI NEHRU KAUL)
JUDGE

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