

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

221

**CRM-M-54610-2019
Decided on : 08.02.2022**

Gurdial Chand and another

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Sunny K. Singla, Advocate,
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Ravi Gakhar, Advocate,
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 96, dated 26.04.2013, under Sections 498-A, 323, 324, 34 of IPC, registered at Police Station Kotwali, Patiala, District Patiala (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise-deed dated 30.10.2019 (Annexure P-2).

Vide order dated 07th 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 in terms of order dated 30.06.2021, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Patiala, 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 photocopies of the statements of the parties along with 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 JMIC, Patiala, 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 08, 2022

J.Ram

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