

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.9762 of 2023 (O&M)
Date of decision: 16th April, 2024

Kulbir Kaur & others
... Petitioners

Versus

State of Punjab & others
... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Arora, Advocate for the petitioners.
Mr. Navdeep Singh, Dy. Advocate General, Punjab and
Mr. Iqbalpreet Singh, Asst. Advocate General, Punjab
for the respondent/State.
Mr. S.K. Arya, Advocate for respondents No.2 to 7.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.78 dated 04.06.2017 under Sections 325, 323, 452, 506, 148 and 149 of the IPC (Section 201 of the IPC added lateron) registered at Police Station Sadar Tarn Taran, District Tarn Taran along with all consequential proceedings arising therefrom on the basis of compromise dated 31.12.2022 (Annexure P-3) affected between the parties.
2. Vide orders dated 23.02.2023 and 14.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Addl. Chief Judicial Magistrate, Tarn Taran, in pursuance of 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 affected between the parties and the same is without any pressure or coercion and out of their free will and LRs of the complainant (since expired) have also made statement to the effect that they would have no objection if the FIR qua the accused-petitioners is quashed.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 to 7 are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Addl. Chief Judicial Magistrate, Tarn Taran 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 '**Kulwinder Singh and others v. State of Punjab and another**' 2007 (3) RCR (Criminal) 1052, being a pure matrimonial dispute between petitioner No.1 and the complainant (since expired), the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it qua the petitioners, are quashed.

7. 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

April 16, 2024

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No