



Learned counsel for the petitioner inter alia contends that the FIR (supra) was registered due to matrimonial dispute between the petitioner and respondent No.2 as the age of respondent No.2 has been withheld at the time of marriage and they have amicably decided to get mutual divorce. As the dispute arose on the ground that respondent No.2 is illiterate, the veracity of the allegations contained in the FIR (supra) were examined by the jurisdictional police authorities and the cancellation report was filed before the Court concerned at Pathankot but the same was not accepted by the Special Court. Respondent No.2 is now major as her date of birth is 05.03.2004 and a compromise has been effected between the petitioner and respondent No.2 and they have dissolved their marriage by way of mutual consent and the petitioner has agreed to pay an amount of Rs.5 lakh to respondent No.2 and the perusal of the compromise (Annexure P-4) indicates that settled amount has already been received by respondent No.2 and she has agreed to remain bound to make a clear statement before the Court for getting FIR (supra) quashed.

Notice of motion for 04.11.2024.

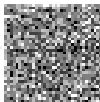
At this stage, on the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to him during the course of day. Learned counsel for the petitioner undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. Thereafter, on 04.11.2024, the parties were again directed to appear before the jurisdictional/Illaq Magistrate within a period of two weeks.

In compliance of the aforesaid orders, a report has been received from the



concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon’ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834* and *Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63* and Full Bench of this Court in *Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052*, this petition is allowed and FIR No.22 dated 07.06.2022 under Sections 376/409/417/420/494/506/120-B of IPC, Section 4 of POCSO Act and Sections 9/10 of Prohibition of Child Marriage Act, 2006 (Section 344 of IPC and Section 9 of POCSO Act added later on) registered at Police Station Nangal Bhoor, District Pathankot (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

December 09, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |