

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-27064 of 2014
Date of Decision: 21.02.2015

Habib Ali and others

---Petitioners

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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

Mr. P.S.Mahahar, AAG, Punjab
for the respondent-State

None for respondent No. 2

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The petitioners have prayed for quashing of FIR No.33 dated 2.4.2013 for offence under Sections 363, 366-A, 342 of the Indian Penal Code (in short "IPC") registered at Police Station, Chabbewal, District Hoshiarpur on the basis of compromise.

The parties and the alleged victim were directed to appear before the trial court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Hoshiarpur wherein it has been reported that statements of the petitioners, respondent No.2(complainant) and the alleged victim have been

recorded and statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Mr. P.S.Madahar, AAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioners and the fact that the matter has been settled by way of compromise between the parties.

I have heard counsel for the parties and perused the case file.

There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon'ble the Supreme Court of India in ***Gian Singh v. State of Punjab and another, 2012(4) R.C.R. (Criminal) 543.***

In view of what has been discussed hereinabove, the petition is allowed and FIR No.33 dated 2.4.2013 for offence under Sections 363, 366-A, 342 IPC registered at Police Station, Chabbewal, District Hoshiarpur and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

21.02.2015
PARAMJIT

