

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

CRM-M-No. 31070 of 2015

Date of decision: 07.10.2015

Sumit

-----Petitioner (s)

V/s

State of Punjab and another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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

Present:- Mr. Peeush Gangneja, Advocate for the petitioner.

Mr. P.S. Madahar, AAG, Punjab.

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

HARI PAL VERMA, J.(Oral)

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of case FIR No. 87, dated 13.11.2014(Annexure P-1) for offence punishable under Sections 406/498-A IPC, registered at Police Station Women Cell, Jalandhar, District Jalandhar and all the consequent proceedings arising therefrom on the basis of compromise dated 02.09.2015(Annexure P-3).

This Court vide order dated 14.09.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to the compromise dated 02.09.2015 (Annexure P-3) and the Illaqa Magistrate/trial Court was directed to

submit its report about the genuiness of the compromise as per statements so recorded.

Pursuant to the aforesaid order dated 14.09.2015, the parties have appeared before Civil Judge (Jr. Div.)-cum-Judicial Magistrate Ist Class, Jalandhar and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 03.10.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same is genuine.

Learned counsel for the petitioner contends that petitioner and respondent No.2 were present in Court and have stated that they have amicably settled their dispute and as on date, they are living happily as husband and wife.

Mr. Harpal Singh, Advocate for respondent No.2 has put in appearance on behalf of respondent No.2 and admit the factum of compromise entered between the parties.

Learned counsel for the State also has not disputed the factum of compromise.

The statement of the complainant-respondent no.2, namely, Bhawna, D/o Pawandeep Monga, wife of Sumit Kumar, reads as under:-

“Stated that I have compromised the matter with the accused Sumit S/o Sh. Roshan Lal and from the last three months I have started residing with my husband. As the matter between me and my husband has been resolved amicably therefore, it is requested that present FIR bearing no.-87, dated 13.11.2014, u/s 406/498-A of IPC registered at PS Women Cell, Jalandhar, filed before Hon'ble Punjab and Haryana High Court be quashed. The compromise is without any pressure,

threat or undue influence and is the result of my free will. I have no objection if the above stated FIR is quashed by Hon'ble Punjab and Haryana High Court.

RO & AC
Sd/- Bhawna

(Amardeep Singh), PCS
JMIC/Jalandhar/21.09.2015.”

Apart from the statement of the complainant, whereby she has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, FIR No. 87, dated 13.11.2014 (Annexure P-1) for offence punishable under Sections 406/498-A IPC, registered at Police Station Women Cell, Jalandhar, District Jalandhar and all the consequent proceedings arising therefrom are quashed, qua the petitioner, in view of compromise deed dated 02.09.2015 (Annexure P-3).

October 07, 2015
Anjal

(HARI PAL VERMA)
JUDGE