

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-36226 of 2014

Date of Decision: 12.01.2015

Malwinder Pal Singh and others

---Petitioners

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Vikrant Guleria, Advocate
for the petitioners**

**Mr. Gazi Mohammad, DAG, Punjab
for the respondent-State**

Respondent No. 2 in person

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. 249 dated 9.8.2012 for offence punishable under Sections 406, 498-A, 506 of the Indian Penal Code (in short "IPC"), registered at Police Station, City Tarn Taran, District Tarn Taran on the basis of compromise.

In the instant case, the FIR was registered on the statement of respondent No.2-complainant Roop Kanwal. Now the matter has been amicably settled between the parties.

Respondent No.2-complainant is present in Court and filed her

affidavit which is taken on record. Her statement was recorded in the Court.

An extract from her statement is quoted thus:-

“I am the complainant in FIR No. 249 dated 19.8.2012 registered in Police Station, City Tarn Taran, District Tarn Taran for offence punishable under Sections 406, 498-A, 506 of the Indian Penal Code against my husband and his family members. The dispute between the parties has been settled by way of compromise. In view of compromise, the petition for divorce has been filed which is pending in the Court at Tarn Taran. I made a statement before the Lok Adalat at Tarn Taran on 30.8.2014 in regard to settlement between us. My father Sh. Rattanjit Singh is also present in the Court. I have filed my affidavit today in the Court which may be read as part of my statement. I have got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.”

Counsel for the petitioners submits that as the parties have amicably settled their differences, no useful purpose would be served by continuation of criminal proceedings.

Mr. Gazi Mohammad, DAG, Punjab and respondent No. 2 have not disputed contention of the petitioners that the parties have arrived at an amicable settlement.

I have heard counsel for the parties and perused the records.

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. 249 dated 9.8.2012 for offence punishable under Sections 406, 498-A, 506 IPC, registered at Police Station, City Tarn Taran, District Tarn Taran and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

12.01.2015s

PARAMJIT