

CRM-M-41136 of 2014

Date of Decision: 13.01.2015

Munish Kumar @ Munish Bawa

---Petitioner

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Vipin Mahajan, Advocate
for the petitioner

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

Mr. Amit Gupta, Advocate
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 petitioner has prayed for quashing of FIR No.26 dated 23.2.2014 for offence punishable under Sections 498-A, 406, 506 of the Indian Penal Code (in short "IPC") registered at Police Station, Division No. 2 Pathankot on the basis of compromise.

The parties were directed to appear before the trial court on 15.12.2014 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Pathankot wherein it has been reported that statements of the

petitioner and respondent No.2(complainant) 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.

Counsel for the petitioner contends that dispute between the parties has been settled by way of compromise during course of investigation and in pursuance of the compromise, the petitioner and respondent No. 2 are residing together.

Counsel for respondent No. 2 has conceded to the fact that the parties have settled their dispute way of compromise and respondent No. 2 (complainant) has got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

Mr. Gazi Mohammad, DAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioner and respondent No.2 (complainant) 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.26 dated 23.2.2014 for offence punishable under

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Sections 498-A, 406, 506 IPC, registered at Police Station, Division No. 2 Pathankot and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

13.01.2015
PARAMJIT