

CRM-M-41825 of 2014
Date of Decision: 19.02.2015

Harmesh Chand

---Petitioner

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. L.S.Mann, Advocate
for the petitioner

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

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. 19 dated 3.4.2014 for offence punishable under Sections 452, 354 A-B read with Section 34 of the Indian Penal Code (in short "IPC") registered at Police Station, Mullanpur Garibdas, District SAS Nagar Mohali on the basis of compromise.

The parties were directed to appear before the trial court/Illaq Magistrate on 6.1.2015 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Kharar 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.

Mr. P.S.Madhar, AAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioner 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. 19 dated 3.4.2014 for offence punishable under Sections 452, 354 A-B read with Section 34 IPC registered at Police Station, Mullanpur Garibdas, District SAS Nagar Mohali and proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

(REKHA MITTAL)
JUDGE

19.02.2015

PARAMJIT