

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No. M-42044 of 2014 (O&M)

Date of decision: 27.01.2015

Jagmohan and others

....Petitioners

V/s.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

Present: Mr. Vidur, Advocate for
Mr. A.P.S. Sandhu, Advocate for the petitioners.

Mr. C.S. Brar, DAG, Punjab.

Mr. Rajeev Dev Sharma, Advocate for respondent No. 2.

M.M.S. BEDI, J. (Oral)

This is a petition for quashing of FIR No.42 dated 05.06.2014 under Sections 498-A IPC registered at Police Station Division No.1, District Pathankot at the instance of respondent No.2, on the basis of compromise.

Parties were directed to appear before the trial Court to make statement regarding the matter having been compromised voluntarily. Statements of the parties have been recorded before the Additional Chief Magistrate, Pathankot and a report has been received indicating that the matrimonial dispute has been settled. Complainant-respondent No. 2 has received of part lump sum alimony.

Parties have also filed a joint petition under Section 13-B of Hindu Marriage Act, and part of the lump sum is to be paid at the time of final disposal of the said case.

Following the judgment in *Kulwinder Singh and others vs. State of Punjab and another*” 2007 (3) RCR (Criminal) 1052, I do not find any reason to deny compounding on the basis of compromise.

In view of the matter having been compromised, this petition is allowed. The aforesaid FIR and all the criminal proceedings emanating therefrom are hereby quashed on the basis of compromise subject to the parties complying with the terms and conditions of the compromise.

In case of non-compliance of any of the conditions, it will be open to the complainant to approach the Court for revival of proceedings.

(M.M.S.BEDI)
JUDGE

27.01.2015
Divyanshi