

CRM-M-43217 of 2014

Date of Decision: 24.02.2015

Manga Singh and others

---Petitioners

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Davinder Bir Singh, Advocate
for the petitioners

Mr. Ankur Jain, AAG, Punjab
for the respondent-State

None 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 petitioners have prayed for quashing of FIR No. 112 dated 10.8.2011 for offence under Sections 406, 498-A of the Indian Penal Code (in short "IPC") registered at Police Station, Laddowal, District Ludhiana on the basis of compromise.

The parties were directed to appear before the trial court/Illaq Magistrate on 15.1.2015 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Ludhiana wherein it has been reported that statements of the petitioners 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 without any pressure from any quarter.

Counsel for the petitioners contends that after investigation, challan has been presented only qua petitioners No. 1 to 4 but petitioners No. 5 and 6 have also been arrayed as petitioners as initially FIR was registered against petitioners No. 5 and 6 also and they have been declared innocent during investigation.

Mr. Ankur Jain, AAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioners and the fact that the matter has been settled by way of compromise between the parties. Counsel has conceded to the fact, on instructions from ASI Sukhwinder Singh, that petitioners No. 5 and 6 have been declared innocent during investigation proceedings.

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. 112 dated 10.8.2011 for offence under Sections 406, 498-A IPC registered at Police Station, Laddowal, District Ludhiana and

proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

24.02.2015

PARAMJIT