

CRM -M-33712 of 2016

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In the High Court of Punjab and Haryana at Chandigarh

CRM -M-33712 of 2016

Date of Decision: 27.2.2017

Jagdev Singh @ Jagga and others

---Petitioners

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Balkaran Singh Sathi, Advocate
for Mr. G.S.Sathi, Advocate
for the petitioners**

Mr. Mikhail Kad, AAG, Punjab

**Mr. K.S.Sidhu, Advocate
for respondent No.2**

Rekha Mittal, J.

The petitioners have prayed for quashing of FIR No. 18 dated 24.1.2016 for offence punishable under Sections 498-A, 406 of the Indian Penal Code (in short "IPC") registered at Police Station, Nihal Singh Wala, District Moga on the basis of compromise(Annexures P-2)

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

Respondent No.2-complainant is present in Court with her counsel. Affidavit of respondent No.2 filed in the Court is taken on record.

Her statement was recorded and a relevant extract therefrom is quoted thus:-

“FIR No. 18 dated 24.1.2016 for offence punishable under Sections 498-A/406 IPC was registered at Police Station, Nihal Singh Wala, District Moga at my behest. Dispute between me and the petitioners has been settled by way of compromise Annexure P-2. I have already received the entire amount in pursuance of the compromise and an amount of Rs.2 lacs has been paid to me by way of demand draft today in the Court. None of the petitioners is declared as proclaimed person nor any proceedings in this regard are pending. I have got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed in view of compromise Annexure P-2. I have filed my affidavit today in the Court which may be read as a part of my statement.”

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

Mr. Mikhail Kad, AAG, Punjab and counsel for 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. 18 dated 24.1.2016 for offence punishable under Sections 498-A, 406 IPC registered at Police Station, Nihal Singh Wala, District Moga and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(Rekha Mittal)
Judge

27.2.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No