

CRM-M-39136 of 2016

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In the High Court of Punjab and Haryana at Chandigarh

CRM-M-39136 of 2016

Date of Decision:26.5.2017

Hardeep Singh

---Petitioner

vs.

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Rishu Mahajan, Advocate
for the petitioner
Petitioner in person

Mr. Neeraj Sharma, AAG, Punjab

Mr. B.S.Sra, Advocate
for the complainant/respondent No. 2
Complainant/respondent No. 2 in person

Rekha Mittal, J.

The petitioner has prayed for quashing of FIR No. 11 dated 18.1.2013 for offence punishable under Sections 406, 498-A of the Indian Penal Code (in short "IPC") registered at Police Station, Women Cell Division, Jalandhar on the basis of compromise dated 4.7.2016 (Annexure P-2)

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

Respondent No.2-complainant is present in Court with her counsel Mr. B.S.Sra, Advocate. Affidavit of respondent No.2 filed in Court is taken on record. Her statement was recorded and a relevant extract therefrom is quoted thus:-

“I am the author of FIR No. 11 dated 18.1.2013 under Sections 406/498-A of the Indian Penal Code registered at Police Station, Women Cell Division, Jalandhar. Dispute between me and my previous husband Hardeep Singh has been settled by way of compromise. A decree of divorce has been passed and thereafter, I performed marriage. I have filed my affidavit today in the Court which may be read as a part of my statement. I have got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to quashed. The petitioner is not a proclaimed offender.”

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.

Counsel for the State concedes to the factum of compromise and that the petitioner is not a proclaimed offender

Counsel for respondent No. 2 has 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. 11 dated 18.1.2013 for offence punishable under Sections 406, 498-A IPC registered at Police Station, Women Cell Division, Jalandhar and proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

(Rekha Mittal)
Judge

26.5.2017
paramjit

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No