

CRM-M-43508 of 2016

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In the High Court of Punjab and Haryana at Chandigarh

CRM-M-43508 of 2016

Date of Decision:26.5.2017

Jasvir Ram and another

---Petitioners

vs.

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. M.K.Chaudhary, Advocate
for the petitioners
Mr. Neeraj Sharma, AAG, Punjab
Pooja Devi, complainant/respondent No. 2 in person

Rekha Mittal, J.

The petitioners have prayed for quashing of FIR No. 019 dated 31.1.2016 for offence punishable under Sections 406, 498-A of the Indian Penal Code (in short "IPC") registered at Police Station, City SBS Nagar, District SBS Nagar on the basis of compromise dated 3.5.2016 (Annexure P-3)

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

Counsel for the petitioners has produced the original compromise deed in the Court and the same is taken on record.

Respondent No.2-complainant is present in Court. She identified her signatures on the original compromise deed. Her statement

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

“I alongwith my father Sh. Bachan Ram is present in the Court. FIR No. 019 dated 31.1.2016 under Sections 406, 498-A of the Indian Penal Code was registered on my statement at Police Station, City SBS Nagar, District SBS Nagar. Dispute between me and the petitioners has been settled vide compromise deed shown to me today in the Court. I have got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to quashed on the basis of compromise.

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 has not disputed contention of the petitioners that the parties have arrived at an amicable settlement. It is submitted that none of the petitioners is a proclaimed offender nor proceedings in this regard are pending.

I have heard counsel for the petitioners, counsel representing the State as well as the complainant in person 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. 019 dated 31.1.2016 for offence punishable under Sections 406, 498-A IPC registered at Police Station, City SBS Nagar, District SBS Nagar and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(Rekha Mittal)
Judge

26.5.2017
paramjit

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