

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10016-2015 (O&M)
Date of Decision: 03.09.2015

Chaman Lal and others

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

- 1. *Whether Reporters of the local papers may be allowed to see the judgment?***
- 2. *To be referred to the Reporters or not?***
- 3. *Whether the judgment should be reported in the digest?***

Present: Mr. Vaibhav Sehgal, Advocate
for the petitioners.

Dr. Deipa Singh, Addl. AG, Punjab
for the State.

R.P. Nagrath, J. (Oral)

The instant petition has been filed for quashing FIR No.19 dated 31.03.2012 under Sections 406, 498-A IPC, Police Station Women, District Ludhiana and the subsequent proceedings on the basis of written compromise arrived at between the parties.

Report from the trial Court has been received after recording statements of parties, alongwith photocopies of statements. It is reported that compromise is voluntary and without any coercion or undue influence.

Learned State counsel submits on instructions from ASI

Sukhdev Singh that petitioners are the only accused in this FIR recorded by respondent No.2 who is the only aggrieved person.

Learned counsel for the petitioners states that petition for divorce by mutual consent under Section 13-B of the Hindu Marriage Act was also filed in August, 2014.

No useful purpose would be served in continuing the proceedings in this case in view of the compromise arrived at between them.

Following the principles laid down by the Full Bench judgement of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)** and approved by the Hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.19 dated 31.03.2012 under Sections 406, 498-A IPC, Police Station Women, District Ludhiana and the subsequent proceedings conducted on the basis thereof, are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements.

(R.P. Nagrath)
Judge

03.09.2015
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