

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-11226 of 2014.
Decided on:-19.10.2015.

Gagandeep Singh and others

.....Petitioners.

Versus

State of U.T., Chandigarh and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Amandeep Saini, Advocate for
Mr. Ranbir Singh Sekhon, Advocate
for the petitioners.

Mr. A.S. Sullar, Addl. Public Prosecutor for U.T., Chandigarh.

Mr. Shiv Charan Bhola, Advocate
for respondent No.4.

HARI PAL VERMA, J. (ORAL)

Learned counsel for the petitioners states that he does not want to press the instant petition on behalf of petitioner No.3 Sukhwinderpal Singh at this stage as he is a proclaimed offender.

Accordingly, the present petition qua petitioner No.3 is dismissed as not pressed at this stage.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.194 dated 16.7.2012 under Sections 294, 354 and 509 read with Section 34 IPC registered at Police Station Sector 26, Chandigarh

(Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise by way of affidavits dated 26.3.2014 (Annexures P-2 and P-3).

This Court vide order dated 31.3.2014 had directed the parties to appear before the trial Court to get their statements recorded and the trial Court was directed to submit its report about the genuineness of the compromise as per the statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before learned Additional Chief Judicial Magistrate, Chandigarh and have got their statements recorded. On the basis of the statements so recorded by the parties, the trial Court has submitted its report dated 17.7.2014 to the effect that the compromise entered between the parties is without any coercion, threat, inducement or promise on the part of anyone.

Learned counsel for the respondent-U.T. does not dispute the factum of compromise between petitioners No.1 and 2 as well as the complainants/respondents No.2 and 3.

Mr. Shiv Charan Bhola, Advocate puts in appearance on behalf of respondent No.4.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and***

another 2007 (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.194 dated 16.7.2012 under Sections 294, 354 and 509 read with Section 34 IPC registered at Police Station Sector 26, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom is quashed qua petitioners No.1 and 2 only, on the basis of compromise by way of affidavits dated 26.3.2014 (Annexures P-2 and P-3).

It is made clear that though the complainants/respondents No.2 and 3, namely, Preet Sandhu daughter of Satnam Singh and Jorawar Singh son of Bhupinder Singh have made statements before the trial Court that they have no objection if the present FIR is quashed against the petitioners No.1 to 3, namely, Gagandeep Singh, Gurpreet Singh and Sukhwinderpal Singh. However, at the cost of repetition, it is relevant to mention here that the present petition has been allowed qua petitioners No.1 and 2, namely, Gagandeep Singh and Gurpreet Singh only and the petition qua petitioner No.3, namely, Sukhwinderpal Singh is dismissed as not pressed at this stage.

October 19, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE