

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

**Criminal Misc. No. M-11502 of 2015 (O & M)
Date of Decision:-08.7.2015**

Pushpinder Kaur

...Petitioner

Versus

State of Punjab and another

...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. B.S. Bali, Advocate
for the petitioner.

Mr. P.S. Madahar, AAG Punjab.

Mr. C.L. Pawar, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.239 dated 17.12.2010, under Sections 406 and 420 of IPC and under Section 24 of Immigration Act, 1983, registered at Police Station, Mohali, District SAS Nagar, Punjab (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 30.7.2014 (Annexure P-2).

Vide order dated 10.4.2015, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court to get their

statements recorded and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of the order dated 10.4.2015, the parties have appeared before the learned Magistrate on 23.4.2015 for getting their statements recorded.

The report received from the learned Chief Judicial Magistrate, Mohali, reveals that the compromise effected between the parties is out of their free will and without any coercion and is a valid compromise.

Learned counsel appearing for respondent No.2 does not dispute the fact of compromise effected between the parties.

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned FIR and consequential proceedings would be sheer abuse of the process of law since chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of **Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)**, this petition is accepted and FIR No.239 dated 17.12.2010, under Sections 406 and 420 of IPC and under Section 24 of Immigration Act, 1983, registered at Police Station, Mohali, District SAS Nagar, Punjab

and the consequential proceedings arising therefrom are hereby quashed qua petitioner subject to payment of costs of Rs.5000/- to be deposited with the Punjab State Legal Services Authority, Chandigarh, receipt of which shall be submitted in the Registry of this Court within one month from today and the Registry shall tag the same with the case file.

July 08, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE