

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

CRM-M-1154 of 2015

Date of decision: 23.04.2015

Shamsher Singh

-----Petitioner (s)

V/s

State of Punjab & anr.

-----Respondent(s)

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. BPS Virk, Advocate
for the petitioner(s).

Mr. R.S. Nain, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.44 dated 20.4.2011 under Sections 341/294/506 IPC and Section 67 of the Information Technology Act, 2000 registered at Police Station Sadar Nabha, District Patiala (Annexure P-1) along with all other consequential proceedings arising therefrom on the basis of compromise dated 7.1.2015 (Annexure P-2).

This Court vide order dated 13.1.2015 had passed the following order:-

“Notice of motion for 23.04.2015.

At this stage, Mr. Satpal Singh, Advocate, has put in appearance on behalf of respondent No.2-complainant.

In the meantime, parties are directed to get their statements recorded before the trial Court and the trial Court is directed to send its report with regard to the validity or otherwise of the compromise, after recording statements of all the concerned parties, before the next date of hearing.”

Pursuant to aforesaid order dated 13.1.2015, parties have appeared before learned Sub Divisional Judicial Magistrate, Nabha and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 9.3.2015 to the effect that the compromise entered between the parties is genuine and the same has been effected voluntarily without any force and pressure.

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

Following the principles laid down by the Full Bench judgment 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.44 dated 20.4.2011 under Sections 341/294/506 IPC and Section 67 of the Information Technology Act, 2000 registered at Police Station Sadar Nabha, District

Patiala (Annexure P-1) along with all other consequential proceedings arising therefrom are quashed on the basis of compromise dated 7.1.2015 (Annexure P-2).

April 23, 2015
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(HARI PAL VERMA)
JUDGE