

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

**Criminal Misc. No. M-11833 of 2015
Date of Decision: 01.07.2015**

Jagdeep Singh & others

...Petitioner(s)

Versus

State of Punjab & another

...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. Gurcharan Dass, Advocate
for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.28 dated 25.3.2013 under Sections 406, 498-A IPC registered at Police Station Women, District Ludhiana (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 16.7.2013 (Annexure P2) entered between the parties before the Mediation and Conciliation Centre of this Court.

This Court vide order dated 20.4.2015, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was directed to submit its report about the genuineness of the compromise as per the statements so recorded.

Pursuant to order dated 20.4.2015, learned Judicial Magistrate

Ist Class, Ludhiana submitted her report to the effect that Rajinder Kaur, accused i.e. petitioner no.6 has not turned up in the Court for recording her statement.

Accordingly, vide order dated 13.5.2015, learned counsel for the petitioners undertook to get the statement of Rajinder Kaur, petitioner no.6, recorded. Accordingly, the statement Rajinder Kaur was recorded by learned Magistrate on 2.6.2015.

On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 4.6.2015 to the effect that the compromise entered between the parties is genuine and the same has been effected between the parties voluntarily, without any threat, pressure, coercion or undue influence.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR. However, considering the fact that the FIR was registered on 25.3.2013 and the State machinery was put to its optimum use till date, the petitioners are liable to pay costs.

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.28 dated 25.3.2013 under Sections 406, 498-A IPC registered at Police Station Women, District Ludhiana (Annexure P-1) and subsequent proceedings arising therefrom are quashed, on the basis of compromise dated 16.7.2013 (Annexure P2), subject to payment of costs of Rs.10,000/-, to be

deposited with the Punjab State Legal Services Authority, Chandigarh.

July 01, 2015
ak

(*HARI PAL VERMA*)
JUDGE