

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

**Criminal Misc. No. M-12105 of 2015
Date of Decision: 01.07.2015**

Rahul Kumar

...Petitioner(s)

Versus

State of Punjab & others

...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. APS Sandhu, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.
Mr. Gaurav Singla, Advocate
for respondents no.2 and 3.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.62 dated 18.2.2015 under Sections 498-A/406 IPC registered at Police Station City Tarn Taran, Distt.Tarn Taran (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 24.3.2015 (Annexure P2).

This Court vide order dated 20.4.2015, had directed the parties to appear before the Illaqa Magistrate to get their statements recorded and the Illaqa Magistrate 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, the parties have appeared before learned Chief Judicial Magistrate, Tarn Taran and have got their statements recorded. On the basis of the statements so recorded by the

parties, learned Chief Judicial Magistrate has submitted his report dated 29.4.2015 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.

This fact has not been disputed by learned counsel for the respondents.

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 18.2.2015 and the State machinery was put to its optimum use till date, the petitioner is 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.62 dated 18.2.2015 under Sections 498-A/406 IPC registered at Police Station City Tarn Taran, Distt.Tarn Taran (Annexure P-1) and subsequent proceedings arising therefrom is quashed, on the basis of compromise dated 24.3.2015 (Annexure P2), subject to payment of costs of Rs.5,000/-, to be desposited with the Punjab State Legal Services Authority, Chandigarh.

July 01, 2015
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(HARI PAL VERMA)
JUDGE