

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

**Criminal Misc. No. M-16357 of 2013
Date of Decision:-22.9.2015**

Surinder Singh

...Petitioner

Versus

Union Territory, Chandigarh 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. Inderjeet Sharma, Advocate
for the petitioner.

Ms. Ashima Mor, APP for U.T. Chandigarh.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.2 dated 2.1.2012, under Section 506 IPC and under Section 25/54/59 of the Arms Act, registered at Police Station Sector 39, Chandigarh (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 28.4.2013 (Annexure P-2).

Vide order dated 2.7.2015, this Court has directed the parties to appear before the 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.

The statement of complainant Kulbir Kaur, made before the learned Magistrate read as under :-

“I have compromised the matter with accused Surinder Singh who is my husband. The said compromise has been entered into by me without any pressure or undue influence. The FIR against Surinder Singh may be quashed.”

In compliance of the order dated 2.7.2015, the parties have appeared before the learned Magistrate on 14.7.2015 for getting their statements recorded.

The report dated 15.7.2015 received from the learned Judicial Magistrate 1st Class, Chandigarh, reveals that the compromise has been effected between the parties without any undue pressure.

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.2 dated 2.1.2012, under Section 506 IPC and under Section 25/54/59 of the Arms Act,

registered at Police Station Sector 39, Chandigarh and the consequential proceedings arising therefrom are hereby quashed qua petitioner.

The petition is disposed of.

September 22, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE