

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-13543 of 2015

Decided on : 29.05.2015

Ajmer Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Mr.Jagdish Rai, Advocate for the petitioner.
Mr.Gurinderjit Singh, DAG, Punjab.

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?

Hari Pal Verma, J. (Oral)

Prayer in the present petition is for quashing of FIR No.33, dated 07.03.2011, under Sections 406 and 498-A, IPC, registered at Police Station Sadar, Ferozepur (Annexure P/1) on the basis of compromise/settlement agreement dated 20.2.2015 (Annexure P/3) alongwith consequential proceedings arising therefrom.

On April 30, 2015, this Court has passed the following order:-

“Through the present petition filed under Section 482 Cr.P.C, the petitioner has prayed for quashing of FIR No. 33, dated 07.3.2011, under Sections 406 and 498-A IPC, registered at Police Station Sadar, Ferozepur (Annexure P-1) and all the proceedings subsequent arising thereto on the basis of compromise/settlement agreement dated 20.02.2015 (Annexure P-3).

Notice of motion for 29.05.2015.

The parties are directed to appear before the Trial Court for recording their respective statements with regard to compromise/settlement on 08.5.2015.

The Trial Court is directed to submit a report on or before the next date of hearing containing the

following information as well:-

- (i) number of persons arrayed as accused in FIR.
- (ii) whether any accused is proclaimed offender.
- (iii) whether the compromise is genuine, voluntary, and without any coercion or undue influence.”

In compliance of the above order passed by this Court, the Addl.Chief Judicial Magistrate, Ferozepur, has submitted a report dated 14.5.2015 vide which it is mentioned that parties have appeared before the trial Court and gave their statements without any pressure and with their free will in respect of compromise effected between them.

Learned State counsel has also admitted the factum of compromise effected between the parties. After perusing the statements of the parties and the report of Addl.Chief Judicial Magistrate, Ferozepur, learned State counsel submits that he has no objection if the impugned FIR is quashed.

Heard.

The petitioner has been booked for having committed the offence punishable under Sections 406 and 498-A, IPC. He has now amicably effected the compromise with the complainant. The learned Addl.Chief Judicial Magistrate, Ferozepur has recorded the statements of the parties with regard to compromise and the report has also been received in this regard. Therefore, continuation of the trial arising out of the impugned FIR would be a sheer abuse of the process of law because chances of conviction are bleak.

Keeping in view the factum of the compromise effected between the private parties and the law laid down by Full Bench of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR (Criminal), 1052, (P&H)**, this petition is

accepted and FIR No.33, dated 07.03.2011, under Sections 406 and 498-A, IPC, registered at Police Station Sadar, Ferozepur (Annexure P/1) along with consequential proceedings arising therefrom, are quashed.

[Hari Pal Verma]
Judge

29.05.2015
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