

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M- 18346 of 2015

Date of decision: 17.08.2015

Nishan Singh

----Petitioner(s)

V/s

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. K.B.S. Mann, Advocate for the petitioners.

Mr. P.S. Madahar, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition is for quashing of FIR No. 36, dated 15.05.2015, under Sections 7, 9 (M), 11 (20) of the Protection of Children from sexual offences Women Act, 2012, registered at Police Station Kabarwala, District Sri Muktsar Sahib (Annexure P/1) on the basis of compromise dated 18.05.2015 (Annexure P/3).

This Court vide order dated 28.05.2015, had directed the parties to appear before the Illaqa Magistrate/ trial Court to get their statements recorded and the Illaqa Magistrate/ trial Court was further directed to submit its report about the genuineness of the compromise, as per the statements of the parties so recorded.

Accordingly, the parties have appeared before learned Civil Judge (Jr. Division)-cum-JMIC, Malout, and got their statements

recorded. On the basis of the statements so recorded by the parties, learned Civil Judge (Jr. Division)-cum-JMIC, Malout, has submitted his report dated 05.08.2015, to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and 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 *qua* the petitioners.

Accordingly, 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. 36, dated 15.05.2015, under Sections 7, 9 (M), 11 (20) of the Protection of Children from sexual offences Women Act, 2012, registered at Police Station Kabarwala, District Sri Muktsar Sahib (Annexure P/1), on the basis of compromise dated 18.05.2015 (Annexure P/3) , is hereby quashed.

August 17, 2015
Anjal

(HARI PAL VERMA)
JUDGE