

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

**Criminal Misc. No. M-18689 of 2015
Date of Decision:-08.7.2015**

Rohit Nayyar and another

...Petitioners

Versus

State of Punjab 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. Simranjeet Singh Sarwara, Advocate
for the petitioners.

Mr. P.S. Madahar, AAG Punjab.

Mr. Abhinav Oberoi, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.26 dated 6.3.2015, under Sections 406 and 498-A IPC, registered at Police Station Women Cell, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.4.2015 (Annexure P-2).

Vide order dated 29.5.2015, this Court has directed the parties to appear before the Illaqa Magistrate/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.

In compliance of the order dated 29.5.2015, the parties have appeared before the learned Magistrate on 09.6.2015 for getting their statements recorded.

The report received from the learned Judicial Magistrate 1st Class, Ludhiana, reveals that the compromise has been effected between the parties is genuine and without any pressure from any corner and coercion.

Learned counsel for the petitioners submits that the petitioner-Rohit Nayyar and respondent No.2-Nitika Rani are staying together along with their minor child. It is sufficient to establish that the parties have compromised the matter.

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.26 dated 6.3.2015, under Sections 406 and 498-A IPC, registered at Police Station Women

Cell, Ludhiana and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

July 08, 2015
Vijay Asija

(*HARI PAL VERMA*)
JUDGE