

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-21111 of 2015

Date of decision: 18.08.2015

Major Singh and another

----Petitioner(s)

V/s

State of Punjab and another

-----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. Prateek Pandit, Advocate for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Nitin Rampal, Advocate for respondent No.2-complainant.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 9, dated 22.02.2015 (Annexure P-1), for offence under Section 379-B IPC, registered at Police Station Bholath, District Kapurthala, and all the subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 10.06.2015 (Annexure P-2).

This Court vide order dated 03.07.2015, 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 Judicial Magistrate Ist Class, Kapurthala, and got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate Ist Class, Kapurthala, has submitted his report dated 04.08.2015, 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.

Learned counsel appearing for respondent No.2-complainant does not dispute the factum of compromise.

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. 9, dated 22.02.2015 (Annexure P-1), for offence under Section 379-B IPC, registered at Police Station Bholath, District Kapurthala, and all the subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 10.06.2015 (Annexure P-2), are hereby quashed.

August 18, 2015
Anjal

(HARI PAL VERMA)
JUDGE