

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

**Criminal Misc. No. M-21549 of 2015
Date of Decision: 28.09.2015**

Himat Singh

...Petitioner(s)

Versus

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. Gaurav Sharma, Advocate
for the petitioner (s).

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

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.244 dated 2.10.2014 under Section 498-A IPC registered at Police Station Sultanwind, District Amritsar City (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise deed dated 3.1.2015 (Annexure P-2).

This Court vide order dated 6.7.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to the compromise dated 3.1.2015 (Annexure P2) and the Illaqa Magistrate/trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 6.7.2015, the parties have appeared before Chief Judicial Magistrate, Amritsar and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 23.9.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same is genuine. The statement of the complainant Bhupinder Singh, respondent no.2, reads as under:-

"I have got registered FIR no.244 dated 2.10.14 under Sections 498A IPC police station, sultanwind, Amritsar against accused Himat Singh and now with the intervention of respectables, entire matter between me and the accused has been amicably settled as my daughter Paramjit Kaur is residing in her in laws house happily with accused Himat Singh. I have arrived at compromise with the accused, out of my free will and willful consent and there is no pressure or coercion upon me. There is no other case pending except the present. I have no objection, if the FIR no.244 dated 2.10.2014 under Sections 498A IPC, police Station, Sultanwind Amritsar is quashed.

RO & AC
Sd/- (Bhupinder Singh)

Sd/-
(Yukti Goyal)
CJM,08.09.2015"

Apart from the statement of the complainant, whereby he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived

between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

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), as 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.244 dated 2.10.2014 under Sections 498-A IPC registered at Police Station Sultanwind, District Amritsar City (Annexure P-1) and subsequent proceedings arising therefrom are quashed, *qua* the petitioner, in view of compromise deed dated 3.1.2015 (Annexure P-2).

September 28, 2015
AK

(HARI PAL VERMA)
JUDGE