

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

CRM-M- 22022 of 2015
Date of decision: 14.09.2015

Gurvinder Singh @ Goggi

V/s

----Petitioner(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. P.S. Punia, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer made in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 287 dated 20.11.2007 under Sections 406, 498-A IPC registered at Police Station City Sahnewal District Ludhiana, on the basis of compromise dated 04.07.2015(Annexure P-2).

This Court vide order dated 09.07.2015 has passed the following order:-

“Prayer in this petition is for quashing of FIR No. 287 dated 20.11.2007 under Sections 406, 498-A IPC registered at Police Station City Sahnewal District Ludhiana on the basis of compromise.

Notice of motion for 13.9.2015.

At this stage, Mr.G.S.Jagpal, Advocate appears and accepts notice on behalf of respondent No.2. In the meanwhile, parties are directed to appear before the trial Court on 6.8.2015 and the trial Court, after recording their statements, shall submit its report with regard to genuineness of the compromise vis-a-vis

number of accused persons involved in this case and whether any of the accused has been declared proclaimed offender or not, on or before the adjourned date.”

Pursuant to the aforesaid order dated 09.07.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Ludhiana, and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate Ist Class, Ludhiana, has submitted his report dated 20.08.2015, 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 State counsel also does not dispute the factum of compromise entered between the parties.

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 petitioner.

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. 287 dated 20.11.2007 under Sections 406, 498-A IPC registered at Police Station City Sahnewal District Ludhiana, and all subsequent proceedings arising therefrom on the basis of compromise dated 04.07.2015(Annexure P-2), are hereby quashed.

September 14, 2015
Anjal

(HARI PAL VERMA)
JUDGE