

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

CRM-M-23775 of 2015(O&M)

Date of decision: 05.08.2015

Prabhat Sobha Dhingra

-----Petitioner(s)

V/s

State of U.T. Chandigarh & 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. Amit Parashar, Advocate for the petitioner(s).

Mr. J.S. Toor, APP for Union Territory,
Chandigarh.

Mr. Neetish Handa, Advocate for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition is for quashing of FIR No.63, dated 26.02.2007, under Sections 406, 498-A IPC, registered at Police Station 11, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 07.03.2015 (Annexure P-2).

This Court vide order dated 23.07.2015, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was directed to submit its

report about the genuineness of the compromise as per the statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate, Ist Class, Chandigarh, and have got their statements recorded. On the basis of the statements so recorded by the parties, Judicial Magistrate, Ist Class, Chandigarh, has submitted his report dated 31.07.2015, 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 for the petitioner has handed over a bank draft bearing No.680438, dated 27.07.2015 for an amount of ₹6 lacs (i.e. the balance amount because ₹5 lacs were already handed over to the complainant-respondent No.2, annexed as Annexure P-3) in view of clause 5 of the compromise dated 03.07.2015. A photocopy of the said bank draft is taken on record.

Mr. Neetish Handa, Advocate has put in appearance on behalf of respondent No.2 and does not dispute the factum of compromise.

Mr. J.S. Toor, Addl. Public Prosecutor, has put in appearance of behalf of Union Territory, Chandigarh.

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.63, dated 26.02.2007, under Sections 406, 498-A IPC, registered at Police Station 11, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 07.03.2015 (Annexure P-2) *qua* the petitioner, are hereby quashed.

August 05, 2015
Anjal

(HARI PAL VERMA)
JUDGE