

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

CRM-M-23879 of 2015.

Decided on:-02.11.2015.

Gurpal Singh and others

.....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. G.C. Rattan, Advocate
for the petitioners.

Mr. R.S. Nain, AAG, Punjab.

Mr. Amandeep Singh, 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 F.I.R. No.85 dated 19.7.2014 under Sections 406 and 498-A IPC registered at Police Station Women Cell, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 28.5.2015 (Annexure P-2).

This Court vide order dated July 23, 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 regarding genuineness of compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate 1st Class, Ludhiana and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 29.10.2015 to the effect that the parties have got compromised the matter between them through a written compromise. The complainant has compromised the matter with accused Gurpal Singh, Gurmeet Kaur and Harbhajan Singh without any pressure and with her free own will.

The aforesaid fact as well as the compromise between the parties has not been disputed by learned State counsel as well as learned counsel for respondent No.2-complainant.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Hon'ble Supreme Court in ***Gold Quest International Private Limited Versus State of Tamil Nadu and others 2014 (4) RCR (Criminal) 206*** has held that the disputes which are substantially matrimonial in nature, or the civil property disputes with criminal facets, if the parties have entered into settlement, and it has become clear that there are no chances of conviction, there is no illegality in quashing the proceedings under Section 482 Cr.P.C. read with Article 226 of the Constitution.

Thus, following the principles laid down by the Full Bench

judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*** as also in the light of ***Gold Quest International Private Limited's case (supra)*** this petition is allowed and F.I.R. No.85 dated 19.7.2014 under Sections 406 and 498-A IPC registered at Police Station Women Cell, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom is quashed, on the basis of compromise dated 28.5.2015 (Annexure P-2). The parties are directed to honour the compromise in its letter and spirit.

November 02, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE