

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-24703 of 2015

Date of decision: 26.08.2015

Manpreet Kaur and others

----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. Vivek Goyal, Advocate for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of the case FIR No. 182, dated 12.11.2013, under Sections 420, 506 and 120-B IPC, registered at Police Station, Ghall Khurd Ferozepur, District-Ferozepur (Annexure P-1), on the basis of compromise dated 06.07.2015 (Annexure P-2).

This Court vide order dated 29.07.2015, has passed the following order:-

“Learned counsel for the petitioners contends that the petitioners are residents of District Moga in stead of Ferozepur and prays for correction in the present petition in this regard.

In view of the above, the request is allowed and necessary correction be made accordingly.

Prayer in this petition is for quashing of FIR No.182 dated 12.11.2013 under Sections 420, 506 and 120-

B IPC, registered at Police Station Ghall Khurd Ferozepur, District Ferozepur (Annexure P-1) on the basis of compromise dated 6.7.2015 (Annexure P-2).

Notice of motion for 26.8.2015.

The parties are directed to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement on 5.8.2015.

The Illaqa Magistrate/trial Court is directed to submit a report on or before the next date of hearing containing the following information as well:

- (i) Number of persons arrayed as accused in FIR;
- (ii) Whether any accused is proclaimed offender; and,
- (iii) Whether the compromise is genuine, voluntary, and without any coercion or undue influence.”

Pursuant to the aforesaid order 29.07.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Ferozepur, and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate Ist Class, Ferozepur, has submitted his report dated 21.08.2015, 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 has also admitted 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.182 dated 12.11.2013 under Sections 420, 506 and 120-B IPC, registered at Police Station Ghall Khurd Ferozepur, District Ferozepur (Annexure P-1), on the basis of compromise dated 06.07.2015 (Annexure P-2), is hereby quashed.

August 26, 2015

Anjal

(HARI PAL VERMA)
JUDGE