

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-26814 of 2014

Decided on : 06.04.2015

Jagdeep Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : None for the petitioners.
Mr.Sultan Singh Gill, DAG, Punjab.

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?

Hari Pal Verma, J. (Oral)

Prayer in the present petition is for quashing of FIR No.143, dated 26.06.2014, under Sections 498-A, 406, 354 of the Indian Penal Code, registered against the petitioners at Police Station, Sadar Tarn Taran on the basis of compromise alongwith consequential proceedings arising therefrom.

On 15.01.2015, this Court has passed the following order:-

“There is a request for an adjournment on behalf of counsel for the petitioners.

List again on 06.4.2015.

In the meantime, parties are directed to appear before the Area Magistrate and the Area Magistrate, after recording the statements of the complainant/victims, shall send its report qua the

genuineness of the compromise along with copies of the statements.”

In compliance of the above order passed by this Court, the Addl.Chief Judicial Magistrate, Tarn Taran, has submitted a report dated 09.02.2015 vide which it is mentioned that parties have appeared before the trial Court and gave their statements without any pressure and with their free will in respect of compromise effected between them.

Learned State counsel has also admitted the factum of compromise effected between the parties. After perusing the statements of the parties and the report of Addl.Chief Judicial Magistrate, Tarn Taran, learned State counsel submits that he has no objection if the impugned FIR is quashed.

Heard.

The petitioners have been booked for having committed the offence punishable under Sections 498-A, 406, 354 of the Indian Penal Code. They have now amicably effected the compromise with the complainant. The learned Addl.Chief Judicial Magistrate, Tarn Taran has recorded the statements of the parties with regard to compromise and the report has also been received in this regard. Therefore, continuation of the trial arising out of the impugned FIR would be a sheer abuse of the process of law because chances of conviction are bleak.

Keeping in view the factum of the compromise effected between the private parties and the law laid down by Full Bench of this Court in the case of Kulwinder Singh and others Vs. State of Punjab

and another, 2007 (3) RCR (Criminal), 1052, (P&H), this petition is accepted and FIR No.143, dated 26.06.2014, under Sections 498-A, 406, 354 of the Indian Penal Code, registered against the petitioners at Police Station, Sadar Tarn Taran along with consequential proceedings arising therefrom, are quashed.

Petition is accordingly allowed.

[Hari Pal Verma]
Judge

06.04.2015
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