

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-34151 of 2013

Decided on : 19.05.2015

Gurpreet Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Mr.Shashi Kant Gupta, Advocate
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.54, dated 18.04.2007, under Sections 498-A, IPC, registered against the petitioners at Police Station Chhehartta, District Amritsar (Annexure P/1) on the basis of compromise alongwith consequential proceedings arising therefrom.

On 22.01.2015, this Court has passed the following order:-

“The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.54 dated 18.04.2007 registered under Section 498-A IPC at Police Station Chhehartta, District Amritsar and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.
To come up on 19.05.2015.

Meanwhile, the parties are directed to be present before the trial Court on 10.03.2015 or any other date convenient to the Court for recording their statements with regard to compromise. The Court is directed to record the statements of both the parties to its satisfaction to know its genuineness that the

statements are not the result of any pressure or coercion in any manner. The Court is further directed to send report along with the statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal case is pending against either of the parties or not before the next date of hearing..”

In compliance of the above order passed by this Court, the Judicial Magistrate 1st Class, Amritsar, has submitted a report dated 09.04.2015 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 Judicial Magistrate 1st Class, Amritsar, 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 IPC. They have now amicably effected the compromise with the complainant. The learned Judicial Magistrate 1st Class, Amritsar 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.54, dated 18.04.2007, under Sections 498-A, IPC, registered against the petitioners at Police Station Chhehartta, District Amritsar (Annexure P/1) along with consequential proceedings arising therefrom, are quashed.

Petition is accordingly allowed.

[Hari Pal Verma]
Judge

19.05.2015
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