

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

CRM-M-31725 of 2014

Date of decision: 20.04.2015

Shrey Gupta & another

-----Petitioner (s)

V/s

State of Punjab & others

-----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. Raj Shekhar, Advocate for
Mr. Viren Jain, Advocate
for the petitioner(s).

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Yogesh Goel, Advocate
for respondents no.2 and 3.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.176 dated 4.8.2014 under Sections 420/506/120-B IPC registered at Police Station Division No.5, Civil Lines, Ludhiana City (Annexure P-2/T) on the basis of memorandum of settlement dated 12.8.2014 (Annexure P-1).

On 14.11.2014, following order was passed by this

Court:-

“Learned counsel for the petitioners has submitted that due to misunderstanding, the parties could not appear before the trial Court.

The parties are again directed to appear before the trial Court/Illaq Magistrate on 28.11.2014 and the trial Court/Illaq Magistrate shall record the statement of all the effected parties and shall report whether any volunteer compromise has been arrived at between the parties or not?

Report of the trial Court/Illaq Magistrate in this regard be called for 20.01.2015”.

Pursuant to aforesaid order dated 14.11.2014, parties have appeared before learned Additional Chief Judicial Magistrate, Ludhiana and have got their statements recorded. On the basis of the statements so recorded, learned Additional Chief Judicial Magistrate, Ludhiana has submitted his report dated 5.12.2014, wherein it has been reported that the compromise entered between the parties appears to be genuine and the same has been effected voluntarily with free will of the parties, without any coercion or undue influence or pressure. The parties have no objection if the present FIR is quashed by this Court on the basis of aforesaid 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.

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.176 dated 4.8.2014 under Sections 420/506/120-B IPC registered at Police Station Division No.5, Civil Lines, Ludhiana City (Annexure P-2/T) and all the consequential proceedings arising therefrom *qua* the petitioners namely Shrey Gupta and Suresh Kumar Gupta are quashed on the basis of memorandum of settlement dated 12.8.2014 (Annexure P-1).

April 20, 2015
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(HARI PAL VERMA)
JUDGE