

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

CRM-M-34141 of 2015.
Decided on:-10.12.2015.

Dalbir 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. Hardip Singh, Advocate for the petitioners.

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

Mr. Joginder Sharma, Advocate for respondent No.2.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.14 dated 29.3.2015 under Sections 406 and 498-A IPC registered at Police Station Mulepur, District Fatehgarh Sahib (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise effected between the parties.

This Court vide order dated October 06, 2015 had directed the parties to appear before the Area Magistrate to get their statements recorded and the Area Magistrate was directed to submit its report about the genuineness of compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate 1st Class, Fatehgarh Sahib and have got their

statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 26.10.2015 to the effect that the parties have compromised the matter. The report submitted by learned Magistrate reads as under:

“In compliance of the order in CRM-M No.34141 of 2015 of the Hon'ble Justice Sabina of the Hon'ble Punjab and Haryana High Court, Chandigarh, statement of complainant Sarabjit Kaur and accused persons Dalbir Singh son of Naib Singh, Naib Singh son of Banarsi Dass and Labh Kaur wife of Naib Singh have been recorded in the Court in case titled as State Versus Dalbir Singh & Ors., FIR No.14 dated 29.03.2015 u/s 406, 498A IPC, PS: Mulepur, District Fatehgarh Sahib.

Complainant Sarabjit Kaur has suffered separate statement that with the intervention of the respectable persons of locality, she has compromised the matter with the accused persons without any inducement or threat. The certified copy of compromise dated 1.10.2015 is Ex.CX.

In view of the above said statements it is manifest that the parties have compromised the matter. Ahlmad is directed to send the above said statements of the parties to the Hon'ble High Court through the office of Ld. District & Sessions Judge, Fatehgarh Sahib. Case is adjourned to 21.12.2015 for awaiting the further order of the Hon'ble High Court.”

Learned State counsel, on instructions from ASI Balbinder Singh, does not dispute the factum of compromise.

Learned counsel for respondent No.2-complainant, on

instructions from his client, namely, Sarabjit Kaur, also concedes that the matter has been compromised between the parties and they have no objection if the present FIR is quashed. Vakalatnama filed on behalf of respondent No.2 in Court today, is taken on record.

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.

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*, this petition is allowed and F.I.R. No.14 dated 29.3.2015 under Sections 406 and 498-A IPC registered at Police Station Mulepur, District Fatehgarh Sahib (Annexure P-1) and all consequential proceedings arising therefrom is quashed, on the basis of compromise effected between the parties.

December 10, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE