

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH**CRM-M-3600 of 2015**

Decided on : 16.03.2015

*Christopher Lal**... Petitioner**Versus**State of Punjab and others**... Respondents*

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Petitioner in person.
None for the respondents

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.119, dated 05.07.2011, under Section 498-A, IPC, registered against the petitioner at Police Station City Gurdaspur, District Gurdaspur (Annexure P/1) on the basis of compromise dated 05.11.2014 (Annexure P/2).

On 04.02.2015, this Court has passed the following order:-

Learned counsel, *inter alia*, contended that the parties have amicably settled their matrimonial disputes, by means of compromise deed dated 05.11.2014 (Annexure P-2) and the criminal case registered against the petitioner in pursuance of impugned FIR (Annexure P-1) is liable to be quashed.

Heard.

Notice of motion be issued to the respondents, returnable for 16.03.2015.

Meanwhile, the trial Court is directed to indicate (i) how many total accused are facing the trial, (ii) status/stage of the trial/case, (iii) to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise deed dated 05.11.2014 (Annexure

P-2) and (iv) to send its report to this Court before the next date of hearing.”

In compliance of the above order passed by this Court, the Chief Judicial Magistrate, Gurdaspur has submitted a report dated 12.03.2015, 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.

Heard.

The petitioner has been booked for having committed the offence punishable under Section 498-A, IPC. He has now amicably effected the compromise with the complainant. The learned Chief Judicial Magistrate, Gurdaspur 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.119, dated 05.07.2011, under Section 498-A, IPC, registered against the petitioner at Police Station City Gurdaspur, District Gurdaspur alongwith consequential proceedings are quashed.

Petition is accordingly allowed.

[Hari Pal Verma]
Judge

16.03.2015
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