

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

CRM-M-36417 of 2015.
Decided on:-21.12.2015.

Sachin Gupta.

.....Petitioner.

Versus

State of Punjab and others

.....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. Vinay Puri, Advocate for the petitioner.

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

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.202 dated 18.8.2015 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Division Rama Mandi, Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 09.10.2015 (Annexure P-2).

This Court vide order dated October 21, 2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the trial Court 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, Jalandhar and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 18.12.2015 to the effect that the compromise between the parties is genuine, voluntary and reached without any pressure or undue influence.

The factum of compromise has not been disputed by learned State counsel.

Though none has put in appearance on behalf of complainant-respondent No.4 Surinder Singh @ Vicky Kamboj, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 16.11.2015. The same is being reproduced as under:

“Stated that a case vide FIR 202, dated 18.08.2015 under Section 420/465/467/468/471 of IPC has been registered on the basis of my statement at PS Rama Mandi, Jalandhar against Sachin Gupta @ Sonu son of Mohan Lal Gupta resident of H.No.8, New Joginder Nagar, Rama Mandi, Jalandhar and Maninder Angish @ Mandi. Now with the intervention of the respectables of the society, the compromise has been effected with above mentioned accused with my own free will and consent and without any undue pressure from any quarter and compromise deed dated 09.10.2015 was also executed between us. The self attested copy of my driving licence is Ex.P1.

(original seen and returned). Nothing is due toward Sachin Gupta and Maninder of me as I have already received all my claims. I have no objection and give my full consent if the present FIR is cancelled/quashed being compromised.”

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.202 dated 18.8.2015 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Division Rama Mandi, Jalandhar (Annexure P-1) and all consequential proceedings qua the petitioner arising therefrom are quashed, on the basis of compromise dated 09.10.2015 (Annexure P-2).

December 21, 2015

Yag Dutt

(HARI PAL VERMA)
JUDGE