

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-39005 of 2014

Date of decision: 21.05.2015

Harbhinder Singh and others

----Petitioner(s)

V/s

The State of Punjab & another

-----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. Rameshwar, Advocate for
Mr. B.S. Jaswal, Advocate for the petitioners.

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

Mr. K.C. Singla, 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 FIR No.59, dated 01.11.2014, for offence punishable under Sections 363, 366, and 120-B of IPC registered at Police Station, Mattewal, District-Amritsar(Annexure P-6), and all subsequent proceedings arising out of the said FIR against the petitioners, as petitioner Nos.1 and 4 get married against the wishes of respondent No.2, who is the father of petitioner No.4.

Mr. K.C. Singla, Advocate, has put in appearance on behalf of respondent No.2 i.e. the complainant, namely, Gurdev Singh.

The said Gurdev Singh(complainant)-respondent No.2 was filed an affidavit on 21.02.2015, wherein it has been stated that both petitioner No.1, namely, Harbhinder Singh and petitioner No.4, namely Navdeep Kaur, are living peacefully, as husband and wife and complainant-respondent No.2 is not interested to pursue the present FIR any more. He further stated that he has no objection if the present FIR is quashed.

Accordingly, this Court vide order dated 21.02.2015, had directed the parties to appear before the illaqa Magistrate on 04.03.2015 to get their statements recorded and the illaqa Magistrate was further directed to submit its report alongwith statements of the parties with regard to the validity or otherwise of the compromise effected between the parties and also directed to intimate whether any case is pending against either of the parties or not.

Pursuant to the order dated 21.02.2015, the parties have appeared before learned Sub Divisional Magistrate, Baba Bakala Sahib, District-Amritsar and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Sub Divisional Magistrate, Baba Bakala Sahib, District-Amritsar, has submitted his report dated 17.03.2015 to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR *qua* the petitioners.

Accordingly, 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.59, dated 01.11.2014, for offence punishable under Sections 363, 366, and 120-B of IPC registered at Police Station, Mattewal, District-Amritsar(Annexure P-6), and all subsequent proceedings arising out of the said FIR against the petitioners *qua* the petitioners, are hereby quashed.

May 21, 2015
Anjal

(HARI PAL VERMA)
JUDGE