

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

CRM-M-43295 of 2014

Date of decision: 01.04.2015

Major Singh & others

-----Petitioner (s)

V/s

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. A.S. Sidhu, Advocate
for the petitioner(s).

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.104 dated 8.9.2013 under Sections 458, 506, 323, 34 IPC registered at Police Station Sadar Nabha, Distt. Patiala (Annexure P1) on the basis of compromise deed dated 28.10.2014 (Annexure P2).

On 18.12.2014, following order was passed by this Court:-

“Notice of motion for 13.03.2015.

In the meantime, parties are directed to appear before the trial Court and the trial Court, after

recording statements of the complainant/victims, shall send its report qua the genuineness of the compromise along with copies of the statements.”

Pursuant to aforesaid order dated 18.12.2014, parties have appeared before the Sub Divisional Judicial Magistrate, Nabha and have got their statements recorded. On the basis of the statements so recorded, learned Sub Divisional Judicial Magistrate, Nabha has submitted her report dated 9.3.2015, 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.104 dated 8.9.2013 under Sections 458, 506, 323, 34 IPC registered at Police Station Sadar Nabha, Distt. Patiala (Annexure P1) and all the consequential proceedings

arising therefrom are quashed on the basis of compromise dated
28.10.2014 (Annexure P-2).

April 01, 2015
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(HARI PAL VERMA)
JUDGE