

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-7782 of 2015

Date of decision: 12.05.2015

Deepak Kumar and 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. Anterpreet Singh, Advocate for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.233, dated 01.09.2009, under Sections 323, 313, 498-A, 506 and 34 IPC registered at Police Station Sadar Jalandhar, District-Jalandhar on the basis of statement/compromise dated 23.01.2015 (Annexure P-2) of respondent No.2, namely, Sonia made before the matrimonial Court i.e. District and Sessions Judge, Jalandhar,

This Court vide order dated 11.03.2015, had directed the parties to appear before the illaqa Magistrate/trial Court to get their statements recorded and the illaqa Magistrate/trial Court was directed to submit its report about the genuineness of the

statement/compromise dated 23.01.2015, as per the statements of parties so recorded.

Accordingly, the parties have appeared before learned Addl. Chief Judicial Magistrate, Jalandhar, and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Addl. Chief Judicial Magistrate, Jalandhar, has submitted his report dated 20.03.2015 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. However, considering the fact that the FIR was registered on 01.09.2009 and the State machinery was put to its optimum use till date, the petitioners are liable to pay costs.

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.233, dated 01.09.2009, under Sections 323, 313, 498-A, 506 and 34 IPC registered at Police Station Sadar Jalandhar, District-Jalandhar, and other consequential proceedings arising therefrom *qua* the petitioners, are quashed on the basis of statement/compromise dated 23.01.2015 (Annexure P-2), subject to payment of costs of

Rs.10,000/- to be deposited with the Punjab State Legal Services Authority, Chandigarh, receipt of which shall be submitted in the registry of this Court within one month from today and the registry shall tag the same with the case file.

May 12, 2015
Anjal

(HARI PAL VERMA)
JUDGE