

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-8872 of 2015

Date of decision: 19.05.2015

Sanjay Kumar alias Satpal and others
V/s

----Petitioner(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. Ashok Kumar Sama, Advocate for the petitioners.

Mr. R.S. Nain, DAG, Punjab

Ms. Mansi Bansal, Advocate for respondents No. 2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition is for quashing of the FIR No. 32, dated 07.04.2012, for offence under Sections 420 and 120-B IPC, registered at Police Station, Jalalabad City, on the basis of compromise dated 26.02.2015(Annexure P-2)

This Court vide order dated 19.03.2015, had directed the parties to appear before the Illaqa Magistrate/Trial Court on 09.04.2015 to get their statements recorded and the Illaqa Magistrate/Trial Court was further directed to submit its report about the genuineness of the compromise, as per the statements of parties so recorded.

Pursuant to the order dated 19.03.2015, the parties have appeared before learned Sub Divisional Judicial Magistrate, Jalalabad (West) and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Sub Divisional Judicial Magistrate, Jalalabad (West) , has submitted his report 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.

Learned counsel appearing for respondents No. 2-complainant has not disputed the factum of 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 *qua* the petitioners.

At this stage, learned counsel for the petitioners informed this Court that in fact the name of the petitioner No.1 is Sanjeev Kumar. However, inadvertently, his name has been mentioned as "Sanjay Kumar" instead of "Sanjeev Kumar" in the memo of parties.

Be that as it may, 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. 32, dated 07.04.2012, for offence under Sections 420 and 120-B IPC, registered at Police Station, Jalalabad City, and all the

subsequent proceedings arising therefrom *qua* the petitioners,
are hereby quashed, on the basis of compromise(Annexure P-2)

May 19, 2015
Anjal

(HARI PAL VERMA)
JUDGE