

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9005-2015 (O&M)
Date of Decision: 28.07.2015

Jaswinder Singh and others

...Petitioners

Versus

State of Punjab & Anr

...Respondents

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

- 1. *Whether Reporters of the local papers may be allowed to see the judgment?***
- 2. *To be referred to the Reporters or not?***
- 3. *Whether the judgment should be reported in the digest?***

Present: Mr. S.S. Dalal, Advocate
for the petitioners.

Mr. Y.K. Gupta, AAG, Punjab
for the State.

Mr. Kuldeep Saini, Advocate for
Mr. Rajeev Gupta, Advocate
for respondent No.2.

R.P. Nagrath, J. (Oral)

The instant petition has been filed for quashing FIR No.85 dated 23.05.2013 for offences under Sections 406, 498-A IPC, Police Station Sohana, S.A.S Nagar, Mohali and the subsequent proceedings on the basis of written compromise arrived at between the parties.

Report from the trial Court has been received after recording statements of parties, alongwith photocopies of statements. It is reported that compromise is voluntary and without any coercion or undue influence.

Copies of the statements of parties sent by the trial Court would show that complete statement of complainant has not been attached bearing her signatures. Learned counsel for the petitioners has, however, handed over certified copy of statement of complainant-Simranjeet Kaur recorded by the trial Court on 16.04.2015 which be placed on record.

Learned State counsel on instructions from SI Gurvinder Singh submits that petitioners are the only accused in this FIR and respondent No.2 is the only aggrieved person.

No useful purpose would be served in continuing with the proceedings in this case in view of the compromise arrived at between them.

Following the principles laid down by the Full Bench judgement 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.85 dated 23.05.2013 for offences under Sections 406, 498-A IPC, Police Station Sohana, S.A.S Nagar, Mohali and the subsequent proceedings conducted on the basis thereof, are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements.

(R.P. Nagrath)
Judge

28.07.2015
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