

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

CRM-M-34605 of 2015

Date of decision: 21.01.2016

Tejinder Kaur 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:- None for the petitioners.

Mr. P.S. Madahar, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.201, dated 11.09.2010, for the offences punishable under Section 328 IPC, registered at Police Station, Sahnewal, District-Ludhiana (Annexure P-1) and all the consequential proceedings arising therefrom, on the basis of the compromise dated 15.05.2015 (Annexure P-2).

This Court vide order dated 08.10.2015 had directed the parties to appear before the learned Illaqa Magistrate on or before 15.10.2015 to get their statements recorded with regard to the compromise and the learned Magistrate was directed to submit its report about the genuiness of the compromise.

Pursuant to the aforesaid order dated 08.10.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Ludhiana and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 16.10.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same is genuine.

The statement of the complainant-respondent No.2, namely, Amanbir Singh son of Sh. Ragbir Singh, reads as under:-

“I had lodged the present case against the accused Tejinder Kaur, Harjit Singh and Davinder Kaur. A compromise has been effected between me and the accused Tejinder Kaur, Harjit Singh and Davinder Kaur. The copy of compromise deed is Ex. CA. I have placed on record the photo copy of my ID proof. I have effected the compromise with the accused and made statement today in the court without any pressure, fear and coercion and at on my own will.

RO & AC
Sd/- Amanbir Singh

Sd/-
(Rajwinder Kaur-I)
JMIC/ Ldh./15.10.2015”

Apart from the statement of the complainant-respondent No.2- *Amanbir Singh*, whereby he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned counsel for the State does not dispute the factum of compromise entered between the parties.

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)**, as 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.201, dated 11.09.2010, for the offences punishable under Section 328 IPC, registered at Police Station, Sahnewal, District-Ludhiana (Annexure P-1), and all the consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 15.05.2015 (Annexure P-2).

21.01.2016

Anjal

[HARI PAL VERMA]
JUDGE