

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

CRM-M-8038 of 2016
Date of decision: 23.05.2016

Simarpreet Kaur @ Harjit Kaur -----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.Sukhmeet Singh, Advocate for
Mr.Jagmeet Singh Moudgil, Advocate for the petitioners.

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

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.1 dated 02.01.2014 under Section 420 IPC, registered at Police Station Chajjli, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 08.02.2016 (Annexure P-2).

This Court vide order dated 09.03.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 09.03.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Sunam and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 27.04.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Though, today no one is present on behalf of respondent No.2-complainant, namely, *Satnam Singh son of Jarnail Singh*, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 27.04.2016. The said statement, reads as under:-

“Stated that FIR No.1 dated 02.01.2014 under Sections 420 IPC Police Station Chhajli was registered on my statement. I have compromised with all the accused. The compromise is voluntarily with free consent and without any coercion undue influence or fear. There is one accused in the present case. No accused is P.O. in this case. I have no objection if present FIR is quashed.”

Apart from the statement of the complainant-respondent No.2, 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.1 dated 02.01.2014 under Section 420 IPC, registered at Police Station Chajjli, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom, is quashed, qua the petitioner, in view of the compromise dated 08.02.2016 (Annexure P-2).

23.05.2016
Anjal

[HARI PAL VERMA]
JUDGE