

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

CRM-M-9101 of 2016
Date of decision: 18.05.2016

Jagjit Singh and another

-----Petitioner (s)

V/s

State of Punjab & others

-----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. M.K. Bhatnagar, Advocate for
Mr.J.S. Dadwal, Advocate for the petitioners.

Mr. R.S. Nain, AAG, Punjab.

Mr. S.K.Bawa, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.25 dated 08.02.2016 under Sections 406 and 420 IPC, registered at Police Station Morinda, District Ropar (Annexure P-1), and all other consequential proceedings arising therefrom on the basis of compromise dated 24.02.2016 (Annexure P-2).

This Court vide order dated 15.03.2016 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 15.03.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Rupnagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 08.04.2016 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.

Statement made by complainant-respondent No.2, namely, Narinder Kaur wife of Amrik Singh before the Magistrate on 08.04.2016, reads as under:-

“Stated that I am resident of above mentioned address, on my statement/complaint FIR no.25, dt.08.02.2016 U/s. 406, 420 IPC was registered at Police Station Morinda against Jagjit Singh S/o Bakhtawar Singh and Grinder Kaur w/o Jagjit Singh R/o H.no.2068, Baldev Nagar, Ambala City, Haryana. During investigation we have entered into a compromise and the same is reduced into writing on dt.24.02.2016 which bears my signatures and accused persons also signed the same alongwith other witnesses. The copy of the compromise is Ex. A-1. I have entered into the compromise with the accused persons with my own sweet will and consent and without any threat and coercion from any side, accused persons filed a quashing petition before the Hon'ble Punjab and Haryana High Court, Chandigarh vide CRM-M-9101 of 2016, if the FIR against the accused persons is quashed on the basis of compromise for that I have no objection, as I do not want to pursue further in the present case. Copy of my ID card is Ex. A-2.”

Apart from the statement of the complainant-respondent No.2, whereby she 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 as well as learned counsel appearing for respondent No.2 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.25 dated 08.02.2016 under Sections 406 and 420 IPC, registered at Police Station Morinda, District Ropar (Annexure P-1), and all other consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 24.02.2016 (Annexure P-2).

18.05.2016
Anjal

[HARI PAL VERMA]
JUDGE