

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

**Criminal Misc. No. M-11566 of 2014  
Date of Decision:-17.8.2015**

Pawandeep Singh alias Painy and others

...Petitioners

Versus

Tejinder Singh and another

...Respondents

**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. S.S. Joshi, Advocate  
for the petitioners.

Mr. Anil Kumar Spahia, Advocate  
for respondent No.1.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

**HARI PAL VERMA J.(Oral)**

Prayer in the present petition is for quashing of FIR No.31 dated 6.2.2014, under Sections 452, 324, 323, 148 and 149 IPC and under Section 25/27 of the Arms Act, registered at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 13.2.2014 (Annexure P-2).

Vide order dated 2.4.2014, this Court has directed the parties to appear before the learned Sub Divisional Judicial Magistrate, Dhuri to

get their statements recorded and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of order dated 2.4.2014, the parties could not appear before the trial Court for getting their statements recorded and the parties were again directed by this Court vide order dated 26.5.2014 to get their statements recorded before the trial Court. As per report dated 16.7.2014 learned Sub Divisional Judicial Magistrate, Dhuri, informed to this Court that petitioner No.3-Harmesh Singh, who was in custody in some other case and produced by the concerned jail authority, suffered his statement that he has not compromised with the complainant. It was also reported that on that day neither the remaining accused/peritioners nor the complainant were appeared to suffer their statements with regard to the compromise. Thereafter, on request of the petitioners, one more opportunity was granted by this Court vide order dated 19.5.2015 to get their statements recorded before the trial Court subject to payment of Rs.10,000/- as costs, which was to be deposited before the Mediation and Conciliation Centre of this Court.

In compliance of the order dated 19.5.2015, the parties have appeared before the learned Magistrate on 8.7.2015 for getting their statements recorded.

The report dated 10.7.2015 received from the learned Judicial Magistrate 1<sup>st</sup> Class, Dhuri, reveals that except petitioner No.3-Harmesh Singh, the compromise has been effected between the parties without any undue pressure. It was disclosed in the report that petitioner No.3-Harmesh Singh had died on 11.6.2015 and the photocopy of the death certificate of said Harmesh Singh has also been attached with the

report. In this regard statement of SI Balwinder Singh has also been recorded on 9.7.2015, which is also attached with the report.

Learned counsel appearing for respondent No.1 does not dispute the fact of compromise effected between the parties.

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned FIR and consequential proceedings would be sheer abuse of the process of law since chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of ***Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)***, this petition is accepted and FIR No.31 dated 6.2.2014, under Sections 452, 324, 323, 148 and 149 IPC and under Section 25/27 of the Arms Act, registered at Police Station Sadar Dhuri, District Sangrur and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

August 17, 2015  
Vijay Asija

( **HARI PAL VERMA** )  
**JUDGE**