

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

**Criminal Misc. No. M-16961 of 2015
Date of Decision: 01.07.2015**

Sunny & others

...Petitioner(s)

Versus

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. Vikasdeep Singh, Advocate
for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Gurpreet Singh, Advocate for respondents no.2 to 4.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.17 dated 4.4.2011 under Sections 323, 324, 148, 149 IPC registered at Police Station Kabirpur, District Kapurthala (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 1.5.2015 (Annexure P3).

This Court vide order dated 25.5.2015 had directed the parties to appear before the Illaqa Magistrate to get their statements recorded and the Illaqa Magistrate was directed to submit its report about the genuineness of the compromise as per the statements so recorded.

Pursuant to order dated 25.5.2015, the parties have appeared before Sub Divisional Judicial Magistrate, Sultanpur Lodhi and have got

their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 18.6.2015 to the effect that the compromise entered between the parties is genuine and the same has been effected between the parties voluntarily, without any threat, pressure, coercion or undue influence.

This fact has not been disputed by learned counsel for the respondents.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR *qua* the petitioners. However, considering the fact that the FIR was registered on 4.4.2011 and the State machinery was put to its optimum use till date, the petitioners are liable to pay costs.

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) 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.17 dated 4.4.2011 under Sections 323, 324, 148, 149 IPC registered at Police Station Kabirpur, District Kapurthala (Annexure P-1) and subsequent proceedings arising therefrom is quashed, *qua* the petitioners, on the basis of compromise dated 1.5.2015 (Annexure P3), subject to payment of costs of Rs.5,000/-, to be desposited with the Punjab State Legal Services Authority, Chandigarh.

July 01, 2015
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(HARI PAL VERMA)
JUDGE