

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

**Criminal Misc. No. M-17156 of 2015
Date of Decision:-08.7.2015**

Amit Momi

...Petitioner

Versus

State of Punjab and others

...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. Sanjeev Soni, Advocate
for the petitioner.

Mr. P.S.Madahar, AAG Punjab.

Mr. Ajay Pal Singh, Advocate
for respondents No.2 and 3.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.254 dated 7.11.2013, under Sections 279, 427, 353, 186 and 332 IPC, registered at Police Station Civil Lines, Bathinda (Annexure P-1) and all other consequential proceedings arising therefrom on the basis of compromise dated 11.5.2015 (Annexure P-2).

Vide order dated 25.5.2015, this Court has directed the parties to appear before the Illaqa Magistrate 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 the order dated 25.5.2015, the parties have appeared before the learned Magistrate on 09.6.2015 for getting their statements recorded.

The report received from the learned Judicial Magistrate 1st Class/Duty Magistrate, Bathinda, reveals that the compromise has been effected between the parties is voluntary and without any coercion or undue influence.

Learned counsel for respondents No.2 and 3 does not dispute the factum of compromise.

Learned State counsel also 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.254 dated 7.11.2013, under Sections 279, 427, 353, 186 and 332 IPC, registered at Police Station Civil Lines, Bathinda and the consequential proceedings arising

therefrom are hereby quashed qua petitioner subject to payment of costs of Rs.5000/- to be deposited with the Punjab State Legal Services Authority, Chandigarh, receipt of which shall be submitted in the Registry of this Court within one month from today and the Registry shall tag the same with the case file.

July 08, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE