

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

**Criminal Misc. No. M-18023 of 2015
Date of Decision:-12.8.2015**

Sudarshan Saini and another

...Petitioners

Versus

State of Punjab 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:- Ms. Manpreet Kaur, Advocate for
Mr. Sandeep Arora, Advocate
for the petitioners.

Mr. Gurinderjit Singh, DAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.120 dated 28.8.2013, under Section 420 read with Section 34 IPC, registered at Police Station City, Hoshiarpur (Annexure P-1) alongwith all consequential proceedings on the basis of agreement/compromise dated 20.5.2014 (Annexure P-2).

Vide order dated 28.5.2015, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court 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 28.5.2015, the parties have appeared before the learned Magistrate on 09.7.2015 for getting their statements recorded.

The report dated 21.7.2015 received from the learned Chief Judicial Magistrate, Hoshiarpur, reveals that the compromise has been effected between the parties without any undue pressure.

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 dated 20.5.2014 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 (CrI.) 1052 (P & H)**, this petition is accepted and FIR No.120 dated 28.8.2013, under Section 420 read with Section 34 IPC, registered at Police Station City, Hoshiarpur and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

August 12, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE