

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

**Criminal Misc. No. M-18317 of 2015
Date of Decision:-22.9.2015**

Mangat Rai Sharma

...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. Sumer Singh Brar, Advocate
for the petitioner.

Mr. P.S. Madahar, AAG Punjab.

Mr. Arnav Sood, Advocate
for respondents No.2 and 3.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.12 dated 11.2.2013, under Sections 452, 324 and 323 read with Section 34 IPC, registered at Police Station Mehtiana, Hoshiarpur, District Hoshiarpur (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 20.12.2014 (Annexure P-2).

Vide order dated 28.5.2015, this Court has directed the parties to appear before the Trial Court/Duty 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 28.5.2015, the parties have appeared before the learned Magistrate on 08.7.2015 for getting their statements recorded.

The statement of complainant Mohan Lal Sharma, made before the learned Magistrate read as under :-

“Stated that an FIR No.12 dated 11.2.2013 under Sections 452, 323, 324, 34 of IPC, P.S. Mehtiana has been registered on my statement against Mangat Rai Sharma and in this occurrence I and Narinder Kumar received injuries. Now, with the intervention of respectable, the matter has been compromised between me and said Mangat Rai Sharma. Now, I have no objection in the above said FIR may be quashed. This compromise is without any pressure and coercion and with our own sweet will. Copy of compromise/settlement is Ex.C-1 where I identify my signatures on the same.”

The report dated 15.7.2015 received from the learned Judicial Magistrate 1st Class, Hoshiarpur, reveals that the parties have entered into a genuine compromise voluntarily and without any coercion or undue influence.

Learned counsel appearing for respondents No.2 and 3 does not dispute the fact of compromise effected between the parties.

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.12 dated 11.2.2013, under Sections 452, 324 and 323 read with Section 34 IPC, registered at Police Station Mehtiana, Hoshiarpur, District Hoshiarpur and the consequential proceedings arising therefrom are hereby quashed qua petitioner.

The petition is disposed of.

September 22, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE