

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

CRM-M-18959 of 2014

Date of decision: 07.07.2015

Manjit Singh and others

-----Petitioner (s)

V/s

State of Punjab and 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. Dilpreet Singh Gandhi, Advocate
for the petitioner(s).

Mr. Sultan Singh Gill, Deputy Advocate General,
Punjab.

Mr. Manpreet Singh Sawhney, Advocate for respondents
No.2 and 3.

HARI PAL VERMA, J.

Prayer in the present petition is for quashing of FIR No.151, dated 01.11.2006, for offence under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station, Sultanwind, District Amritsar (Annexure P-1) and all the subsequent proceedings on the basis of compromise (Annexure P-2).

On 28.05.2014, this Court has passed the following order:-

"Heard. Learned counsel for the petitioner submits that the matter has ben compromised with the complainant.

Notice of motion for 15.09.2014.

The parties may appear before the trial court on 12.06.2014 or any other date convenient to the Court

and get their statements recorded with regard to the compromise. The original compromise shall be produced before the trial court. In the event of their statement being recorded, the trial court will send the same to this Court with its report : (i) whether the compromise is genuine and voluntary in nature; (ii) whether all the accused are appearing in the Court and are on bail "

In compliance of the above order passed by this Court, the Addl. Chief Judicial Magistrate, 1st Class, Amritsar, has submitted his report dated 28.06.2014, vide which it is mentioned that parties have appeared before him and have given their statements in respect of compromise effected between them without any fear or pressure and with their own free will.

Learned State counsel as well as learned counsel for respondents No. 2 and 3 have also endorsed the factum of compromise effected between the parties and they have no objection if the impugned FIR is quashed.

The Addl. Chief Judicial Magistrate, 1st Class, Amritsar, has recorded the statements of the parties with regard to compromise and report has also been received in this regard. Therefore, continuation of the trial arising out of the impugned FIR would be a sheer abuse of the process of law.

Keeping in view the factum of the compromise effected between the parties and the law laid down by Full Bench judgment of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR (Criminal), 1052, (P&H)**, this petition is accepted and FIR No. 151, dated 01.11.2006, for offence under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station, Sultanwind, District-Amritsar

(Annexure P-1) along with all consequential proceedings arising therefrom, are hereby quashed.

Petition is accordingly allowed.

July 07, 2015
Anjal

(HARI PAL VERMA)
JUDGE