

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-21496 of 2015

Date of decision: 21.08.2015

Gurbakshish Singh Kahlon and another **----Petitioner(s)**
V/s

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. JPS Sarao, Advocate for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 200, dated 17.08.2013 (Annexure P-1) for offence under Sections 353, 186, and 34 IPC, registered at Police Station, Civil Lines, Patiala (Punjab), and all the subsequent and consequential proceedings arising therefrom on the basis of compromise dated 01.06.2015(Annexure P-2).

This Court vide order dated 06.07.2015, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was further directed to submit its report about the genuineness of the compromise, as per the statements of the parties so recorded.

Accordingly, the parties have appeared before learned
Judicial Magistrate Ist Class, Patiala and got their statements

recorded. On the basis of the statements, so recorded by the parties, learned Judicial Magistrate Ist Class, Patiala, has submitted his report dated 01.08.2015, to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

Learned counsel for the petitioner has relied upon a Division Bench judgment of this Court passed in CRM-M-31765 of 2012, titled “ Vinod @ Boda and others Vs. State of Haryana and another, decided on 01.05.2013, wherein this Court while considering the offences which are non-compoundable has quashed the FIR for the offences punishable under Sections 149, 332, 353, 186 and 506 of Indian Penal Code.

Learned State counsel has also not disputed the correctness of the aforesaid judgment and submits that respondents No. 2 and 3 have made a statement in support of the compromise and admit the factum of compromise.

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.

Accordingly, 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**, as well as Division Bench judgment of this Court in CRM-M-31765 of 2012, titled “**Vinod @ Boda and others Vs. State of Haryana and another**”, decided on 01.05.2013, this petition is allowed and FIR No.200, dated 17.08.2013

(Annexure P-1) for offence under Sections 353, 186, and 34 IPC, registered at Police Station, Civil Lines, Patiala (Punjab), and all the subsequent and consequential proceedings arising therefrom on the basis of compromise dated 01.06.2015(Annexure P-2), are hereby quashed.

August 21, 2015

Anjal

**(HARI PAL VERMA)
JUDGE**