

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

**Criminal Misc. No. M-21525 of 2015
Date of Decision: 04.09.2015**

Karam Din alias Vicky & others

...Petitioner(s)

Versus

State of Punjab and another

...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. Amandip Kaur, Advocate for
Mr. JBS Gill, Advocate
for the petitioner (s).

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.37 dated 2.4.2015 under Sections 323/324/326/148/149 IPC registered at Police Station Sadar Hoshiarpur (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 12.6.2015 (Annexure P2).

Vide order dated 6.7.2015, this Court had passed the following order:-

“Prayer made in this petition is for quashing of FIR

*on the
basis of compromise.*

Notice of motion for 04.09.2015.

In the meanwhile, parties are directed to appear before the trial Court/Illaqa Magistrate on 17.07.2015 and the trial Court/Illaqa Magistrate, after recording their statements, shall submit its report with regard to genuineness of the compromise vis-a-vis number of accused persons involved in this case and whether any of the accused has been declared proclaimed offender or not, on or before the adjourned date.”

Pursuant to the aforesaid order, the parties have appeared before the learned Judicial Magistrate Ist Class, Hoshiarpur and have got their statements recorded before him. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 29.7.2015 to the effect that on the basis of the statements suffered by the parties, petitioner and respondent no.2-complainant have compromised the matter voluntarily without any coercion or undue influence and thus, the compromise is genuine.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

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), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)10 SCC 303, this petition is allowed and FIR No.37 dated 2.4.2015 under Sections 323/324/326/148/149 IPC registered at Police Station Sadar Hoshiarpur (Annexure P-1) and subsequent proceedings arising therefrom are quashed on the basis of compromise/affidavit dated 12.6.2015(Annexure P2).

September 04, 2015
AK

(**HARI PAL VERMA**)
JUDGE