

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

**Criminal Misc. No. M-21884 of 2015
Date of Decision:-04.12.2015**

Inderjit Singh and others

...Petitioners

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. Talwinder Singh, Advocate
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.75 dated 8.5.2015, under Section 364 IPC, registered at Police Station City Kharar, District SAS Nagar (Annexure P-1) alongwith all consequential proceedings on the basis of compromise in the shape of affidavits of respondent No.2-complainant and respondent No.3 (Annexures P-2 and P-3 respectively).

Vide order dated 21.9.2015, 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 21.9.2015, the parties have appeared before the learned Magistrate on 1.10.2015 for getting their statements recorded.

The report dated 09.10.2015 received from the learned Sub Divisional Judicial Magistrate, Kharar, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Kalhan Kaul before the Sub Divisional Judicial Magistrate, Kharar, on 1.10.2015 reads as under :-

“Stated that we have effected compromise with accused in FIR No.75 dated 8.5.2015 under Section 364 IPC, P.S. City, Kharar. The said compromise has been effected with the intervention of the respectables of our locality and the same is without any coercion, inducement, threat, pressure etc. We have no objection if the present FIR is quashed against the accused in view of compromise Annexures P2 and P3 already on record.”

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 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)** and **Gian Singh vs. State of Punjab and others, (2012) 10 SCC 303** this petition is accepted and FIR No.75 dated 8.5.2015, under Section 364 IPC, registered at Police Station City Kharar, District SAS Nagar and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

December 04, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE