

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

**Criminal Misc. No. M-22001 of 2015
Date of Decision: 05.08.2015**

Gurpreet Singh Walia & another

...Petitioner(s)

Versus

State of Punjab & 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. Munish Puri, Advocate
for the petitioner(s).

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Sanjeev Kumar, Advocate for respondent no.2.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.118 dated 29.10.2014 under Sections 326/324/323/34 IPC registered at Police Station Shrihargobindpur, Batala (Annexure P-1) on the basis of compromise dated 5.5.2015 (Annexure P2).

This Court vide order dated 9.7.2015, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was

directed to submit its report about the genuineness of the compromise as per the statements so recorded.

Pursuant to order dated 9.7.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Batala and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 24.7.2015 to the effect that the compromise entered between the parties is genuine and the same has been effected between the parties voluntarily, without any pressure, coercion or undue influence. There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties.

This fact has not been disputed by learned counsel for the complainant-respondents.

In view of the above, no useful purpose would be served to continue with the proceedings in the instant FIR. However, considering the fact that the FIR was registered on 29.10.2014 and the State machinery was put to its optimum use till date, the petitioners are liable to pay costs.

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.118 dated 29.10.2014 under Sections 326/324/323/34 IPC

registered at Police Station Shrihargobindpur, Batala (Annexure P-1)
is quashed on the basis of compromise dated 5.5.2015 (Annexure
P2) subject to payment of costs of Rs.5,000/-, to be deposited with
the Punjab State Legal Services Authority, Chandigarh.

August 05, 2015
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(HARI PAL VERMA)
JUDGE