

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

**Criminal Misc. No. M-22135 of 2015
Date of Decision: 05.08.2015**

Kabal Singh & others

...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. Sunil Kumar, Advocate
for the petitioner (s).

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Sankalp Sagar, 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.45 dated 28.4.2013 under Sections 323, 341, 379, 148, 149 IPC registered at Police Station C Division, Amritsar City (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 10.3.2015 (Annexure P3).

This Court vide order dated 10.7.2015, 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.

Learned Judicial Magistrate Ist Class, Amritsar has forwarded her report dated 31.7.2015 to state that the complainant-respondent no.2 - Munish Wadhawan has got his statement to the effect that the matter has been compromised between him and the accused namely Avtar Singh, Baljit Singh, Kabal Singh and Pargat Singh. It has been further stated that the compromise is without any threat, influence or promise and he has no objection if the aforesaid complaint is quashed on the basis of compromise.

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.45 dated 28.4.2013 under Sections 323, 341, 379, 148, 149 IPC registered at Police Station C Division, Amritsar City (Annexure P-1) and subsequent proceedings arising therefrom are quashed on the basis of compromise dated 10.3.2015 (Annexure P3).

August 05, 2015
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(HARI PAL VERMA)
JUDGE