

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

CRM-M-No. 2306 of 2015

Date of decision: 07.05.2015

**Sukhwinder Singh alias Kuki Singh
and others**

-----Petitioner (s)

V/s

State of Punjab and 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. Vijay Lath, Advocate with
Mr. Naveen Sharma, Advocate for the petitioners.

Mr. R.S. Nain, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition, filed under Section 482 Cr.P.C. is for quashing of FIR No.20, dated 22.02.2008 (Annexure P-1), for offence under Sections 323, 325, 452, 506 and 34 IPC, registered at Police Station, Rupnagar, District-Rupnagar, Punjab, and subsequent proceedings arisen out of the said FIR, on the basis of the compromise dated 10.01.2015 (Annexure P-3).

On 02.02.2015, this Court has passed the following order:-

“Learned counsel, inter alia, contended that the parties have amicably settled their disputes, by means of compromise deed dated 10.01.2015 (Annexure P-3) and the criminal case registered against the petitioners in pursuance of impugned FIR (Annexure P-1) is liable to be quashed.

Heard.

Notice of motion be issued to the respondents, returnable for 03.03.2015.

Meanwhile, the trial Court is directed to indicate (i) how many total accused are facing the trial, (ii) status/stage of the trial/case, (iii) to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise deed dated 10.01.2015 (Annexure P-3) and (iv) to send its report to this Court before the next date of hearing. "

In compliance of the above order passed by this Court, the learned Chief Judicial Magistrate, Rupnagar(Ropar), has forwarded a report, vide which it is mentioned that parties have appeared before him and have given their statements in respect of compromise effected between them and the compromise is genuine, voluntary and without any coercion or undue influence.

Learned State counsel has also admitted the factum of compromise effected between the parties and he has no objection if the impugned FIR is quashed.

Heard.

However, the learned Chief Judicial Magistrate, Rupnagar (Ropar), has recorded the statements of the parties with regard to compromise and report has also been received in this regard. Therefore, continuation of the trial arising out of the impugned FIR would be a sheer abuse of the process of law because chances of conviction of the petitioners are bleak.

Keeping in view the factum of the compromise effected between the parties and the law laid down by Full Bench judgment of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR (Criminal), 1052, (P&H)**, this petition is accepted and FIR No.20, dated 22.02.2008 (Annexure P-1), for offence under Sections 323, 325, 452, 506 and 34 IPC,

registered at Police Station, Rupnagar, District-Rupnagar, Punjab, and subsequent proceedings arisen out of the said FIR, are hereby quashed.

Petition is accordingly allowed.

May 07, 2015
Anjal

(HARI PAL VERMA)
JUDGE