

CRM-M-23617 of 2014

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

CRM-M-23617 of 2014(O&M)

Date of decision: 18.03.2015

Jasveer Singh @ Happy and others

-----Petitioner (s)

V/s

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. S.N. Sharma, Advocate
for the petitioner(s).

Mr. Gurinderjit Singh, Deputy Advocate General,
Punjab.

Mr. Gursimran Singh, Advocate for respondent No.2.

HARI PAL VERMA, J.

Prayer in the present petition is for quashing of FIR No.66, dated 24.05.2014, under Sections 452, 323,324 and 34 of Indian Penal Code, registered against the petitioners at Police Station, Jhulkan, Patiala, District-Patiala (Annexure P-1) alongwith all consequential proceedings arising therefrom on the basis of compromise dated 30.05.2014 (Annexure P-2)

On 18.12.2014, this Court has passed the following order:-

“Reply on behalf of respondent No. 1-State filed in Court today, which is taken on record.

The parties seek more time to make the statements. The parties may appear before the learned Illaqa Magistrate, Patiala, within next

three weeks and make the statements and after recording the statements of the parties, the learned Illaqa Magistrate shall report back to this Court whether the parties have entered into a compromise. Report of the Illaqa Magistrate be awaited for 30.1.2015.”

In compliance of the above order passed by this Court, the Judicial Magistrate, 1st Class, Patiala, has submitted a report dated 29.01.2015, vide which it is mentioned that parties have appeared before him and have given their statements in respect of compromise effected between them without any pressure and with their free will

Learned State counsel has also admitted the factum of compromise effected between the parties. After perusing the statements of the parties and the report of Judicial Magistrate, 1st Class, Patiala, learned State counsel submits that he has no objection if the impugned FIR is quashed.

Heard.

The petitioners have been booked for having committed the offence punishable under Sections 452, 323, 324 and 34 of Indian Penal Code. They have now amicably effected a compromise with the complainant. The learned Judicial Magistrate, 1st Class, Patiala, 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. 66, dated 24.05.2014, under Sections 452, 323, 324 and 34 of Indian Penal Code, registered against the petitioners at Police Station, Jhulkan, Patiala, District-Patiala along with all consequential proceedings arising therefrom, are quashed.

Petition is accordingly allowed.

March 18, 2015
Anjal

(HARI PAL VERMA)
JUDGE