

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-23932 of 2015

Date of Decision: 05.11.2015

Ladi alias Ladi Masih alias Surjit 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. B.S. Bajwa, Advocate
for the petitioners.

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

Mr. D.K. Raheja, 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.62 dated 13.6.2010 under Sections 452, 326, 324, 323, 34 of the Indian Penal Code, 1860 registered at Police Station Sadar, Batala, District Gurdaspur, (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 18.7.2015 (Annexure P-2).

This Court vide order dated 27.7.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their

statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report regarding the genuineness of the compromise.

Pursuant to the aforesaid order dated 27.7.2015, the parties have appeared before Judicial Magistrate Ist Class, Batala and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 24.8.2015 to the effect that the parties have entered into the compromise with their free consent without any pressure or coercion. The statement of the complainant Bau Ram Masih reads as under:-

“That the present case FIR No.62 dated 13.6.2010, under Sections 452, 326, 324, 323, 34 IPC, Police Station Sadar Batala, District Gurdaspur, Punjab, was registered against accused Ladi @ Ladi Masih @ Surjit Singh s/o Balkar Singh @ Sahib @ Sahib Masih, Jeewan Singh @ Jeena s/o Balwinder Singh and Sarabjit Singh @ Kaka s/o Mewa Singh, residents of Village Bullawal, Tehsil Batala, District Gurdaspur, on my statement.

Now the matter has been compromised between the parties with the intervention of respectable persons and relatives from both sides. I do not want to proceed against the accused as I have no grudge against the petitioners/accused and we want to live in society with peace and harmony and I have no objection if the present case FIR is quashed against accused/petitioners. I have suffered this statement without any pressure or coercion.”

Learned counsel for the complainant-respondent no.2 also submits that the complainant has no objection to the FIR being quashed.

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.

Accordingly, 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 of FIR No.62 dated 13.6.2010 under Sections 452, 326, 324, 323, 34 of the Indian Penal Code, 1860 registered at Police Station Sadar, Batala, District Gurdaspur, (Annexure P-1) and consequential proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise dated 18.7.2015 (Annexure P-2).

November 05, 2015
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(HARI PAL VERMA)
JUDGE