

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

**Criminal Misc. No. M-23954 of 2015
Date of Decision:-03.11.2015**

Amarjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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. Ranjodh Singh Sidhu, Advocate
for the petitioner.

Mr. R.S. Nain, AAG Punjab.

Mr. Narinder Kumar Awasth, Advocate
for respondents No.2 to 4.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.105 dated 18.10.2012, under Section 420 IPC, registered at Police Station Verowal, District Tarn Taran (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 18.7.2015 (Annexure P-2).

Vide order dated 24.7.2015, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to forward a

report about the genuineness of the compromise to this Court.

In compliance of the order dated 24.7.2015, the parties have appeared before the learned Magistrate on 28.10.2015 for getting their statements recorded.

The report dated 31.10.2015 received from the learned Sub Divisional Judicial Magistrate, Khadur Sahib, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Bhupinder Kaur before the Sub Divisional Judicial Magistrate, Khadur Sahib, on 28.10.2015 reads as under :-

“Stated that an FIR No.105 dated 18.10.2012 under Section 420 IPC, P.S. Verowal, registered against Amarjit Singh son of Didar Singh by me. Now, the matter has been compromised amicably with the intervention of respectables of the village locality. I do not want to take any kind of action against accused Amarjit Singh and I do not want to pursue the present FIR. I have no objection if the compromise be accepted and present FIR be quashed. Photocopy of my Adhar Card is Ex.C1. (Original seen & returned).”

Learned counsel appearing for respondents No.2 to 4 does not dispute the fact of compromise effected between the parties.

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise and learned Magistrate has recorded their statements followed by his report,

continuation of the trial arising out from the impugned FIR and consequential proceedings would be sheer abuse of the process of law since chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of ***Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)*** and ***Gian Singh vs. State of Punjab and others, (2012)10 SCC 303***, this petition is accepted and FIR No.105 dated 18.10.2012, under Section 420 IPC, registered at Police Station Verowal, District Tarn Taran and the consequential proceedings arising therefrom are hereby quashed qua petitioner.

The petition is disposed of.

November 03, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE