IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M- 25313 of 2015

Date of decision: 26.08.2015

Sanjay alias Kallu **----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. Amit Verma, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Rahul Sharma, Advocate for respondents No.2 and 3.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C., is for quashing of FIR No. 132, dated 12.10.2013, for offence under Sections 323, 341, 354 IPC, registered at Police Station Nangal, District Rupnagar, and all the consequent proceedings arising thereto on the basis of compromise dated 27.07.2015 (Annexure P-2).

This Court vide order dated 03.08.2015, has passed the following order:-

> "Prayer in this petition filed under Section 482 Cr.P.C., is for quashing of FIR No. 132, dated 12.10.2013, for offence under Sections 323, 341, 354, IPC, registered at Police Station Nangal, District Rupnagar, and all the consequent proceedings arising thereto on the basis of compromise dated 27.07.2015 (Annexure P-2).
>
> Notice of motion for 26.08.2015

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> The parties are directed to appear before the Illaqa Magistrate/Trial Court for recording their respective statements with regard to compromise/settlement on 12.08.2015, the date already fixed in the main case.
>
> The Illaqa Magistrate/Trial Court is directed to submit a report on or before the next date of hearing containing the following information as well:-
>
> (i) number of persons arrayed as accused in FIR.
>
> (ii) whether any accused is proclaimed offender.
>
> (iii) whether the compromise is genuine, voluntary, and without any coercion or undue influence."

Pursuant to the aforesaid order 03.08.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Anandpur Sahib, and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate Ist Class, Anandpur Sahib, has submitted his report dated 17.08.2015, to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

Mr. Rahul Sharma, Advocate, has put in appearance on behalf of respondents No.2 & 3 and does not dispute the factum of compromise entered between the parties.

Learned State counsel has also admitted the factum of compromise entered between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR qua the petitioner.

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)*** and 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

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No. 132, dated 12.10.2013, for offence under Sections 323, 341, 354 IPC, registered at Police Station Nangal, District Rupnagar, and all the consequent proceedings arising thereto on the basis of compromise dated 27.07.2015 (Annexure P-2), are hereby quashed.

August 26, 2015 **(HARI PAL VERMA)**
Anjal **JUDGE**

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