

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

**Criminal Misc. No. M-25775 of 2015
Date of Decision:-28.8.2015**

Harbhajan Singh and others

...Petitioners

Versus

State of Punjab and another

...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. Ashok Giri, Advocate
for the petitioner.

Mr. P.S. Madahar, AAG Punjab.

Mr. Rahul Sharma, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.145 dated 18.10.2007, under Sections 323, 324, 325, 148 and 149 IPC (Section 452 IPC deleted), registered at Police Station Kurali, District SAS Nagar, Mohali (Annexure P-1) alongwith all consequential proceedings on the basis of compromise dated 29.7.2015 (Annexure P-2).

Vide order dated 5.8.2015, 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 5.8.2015, the parties have appeared before the learned Magistrate on 10.8.2015 for getting their statements recorded.

The report dated 17.8.2015 received from the learned Additional Chief Judicial Magistrate, Rupnagar, reveals that the compromise has been effected between the parties without any undue pressure.

Learned counsel appearing for respondent No.2 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)**, this petition is accepted and FIR No.145 dated 18.10.2007, under Sections 323, 324, 325, 148 and 149 IPC (Section 452 IPC deleted), registered at Police Station Kurali, District SAS Nagar, Mohali and the consequential proceedings arising therefrom are hereby quashed

qua petitioners.

The petition is disposed of.

August 28, 2015
Vijay Asija

(*HARI PAL VERMA*)
JUDGE