

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-26485 of 2014

DATE OF DECISION: 12.01.2015

Harinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper 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. Jagnahar Singh, Advocate
for the petitioner.

Mr. Neeraj Sharma, AAG, Punjab.

Mr. H.S. Tulli, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

The present petition has been filed on behalf of petitioner, namely, Harinder Singh for quashing of F.I.R. No. 60 dated 7.5.2013 registered under Section 420 IPC at Police Station Mahalpur, District Hoshiarpur, on the basis of compromise.

Notice of motion was issued on 6.8.2014 and vide orders dated 14.10.2014, both the parties were directed to appear before the trial Court for recording of their statements with regard to compromise. The trial Court was also directed to submit its report before this Court regarding genuineness/validity of the compromise.

In response to the directions issued by this Court, a report has been received from the trial Court, which is on record. It has been mentioned in the report that the parties were present in the Court and their statements have been recorded, wherein, they have stated that they have voluntarily entered into the compromise out of their free will and without any undue influence, coercion, inducement, threat or promise. It has also been mentioned in the report that no other case is pending against the accused as well as complainant and no PO proceedings are pending against the accused. Complainant has specifically stated in his statement that he has no objection in quashing of the FIR against the accused.

Since the dispute between the parties has been settled by way of compromise and now the complainant has no objection, if the present petition is allowed and the FIR, in question, is quashed, I am of the considered view that continuation of impugned criminal proceedings between the parties would be an exercise in futility. Moreover, offence under Section 420 IPC can be compounded at the instance of complainant.

Accordingly, this petition is allowed and impugned criminal proceedings arising out of F.I.R. No. 60 dated 7.5.2013 registered under Section 420 IPC at Police Station Mahalpur, District Hoshiarpur along with all subsequent proceedings arising therefrom qua petitioner, namely, Harinder Singh are quashed.

January 12, 2015
pooja

(DAYA CHAUDHARY)
JUDGE