

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

**Criminal Misc. No. M-30218 of 2013 (O & M)  
Date of Decision:-04.5.2015**

Darbara 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. Naresh Jain, Advocate  
for the applicant-petitioners.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

Mr. P.S. Bhinder, Advocate  
for respondent No.2.

**HARI PAL VERMA J.(Oral)**

**CRM No.13833 of 2015**

This is an application for impleading Ashok Kumar s/o Shri Surinder Pal, Daya Chand s/o Mangat Ram, Rampal s/o Mangat Ram and Satpal s/o Surinder Pal as respondents No.3 to 6.

The application is allowed and the persons, whose names have been mentioned in para 2 of the application are hereby impleaded as respondents No.3 to 6. Amended memo of parties is taken on record.

**CRM No.M-30218 of 2013**

Prayer in the present petition is for quashing of FIR No.184 dated 12.12.2009, under Sections 451, 324, 323, 148, 149, 427 IPC, registered at Police Station Malout City, District Sri Muktsar Sahib (Annexure P-1) on the basis of compromise/affidavit dated 30.8.2013 (Annexure P-2) furnished by respondent No.2-complainant.

On January 29, 2014, this Court has passed the following order :-

“Affidavit filed by respondent No.2 in the Court today is taken on record and a copy thereof supplied to learned counsel for the petitioners.

In his reply filed by way of affidavit, respondent No.2 has admitted the factum of compromise.

Let the petitioners on the one hand and respondent No.2 and other affected persons, on the other, appear before the Illaqa Magistrate for getting their statements recorded in regard to the compromise. The said Court shall record their statements and certify about the genuineness of the compromise and, thereafter, submit its report alongwith copies of the statements of the parties to this Court before the next date of hearing.

Adjourned to 5.8.2014.”

Mr. P.S. Bhinder, Advocate has put in appearance on behalf of respondents No.2 to 6 and filed his power of attorney and does not dispute the factum of compromise arrived at between the parties.

In compliance of the order dated 29.1.2014, the parties have appeared before the learned Sub Divisional Judicial Magistrate, Malout, on 2.4.2014 for getting their statements recorded.

The report received from the learned Sub Divisional Judicial Magistrate, Malout, reveals that the compromise is voluntarily, without any threat and coercion.

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 for an offence punishable under Sections 451, 324, 323, 148, 149, 427 IPC 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.184 dated 12.12.2009, under Sections 451, 324, 323, 148, 149, 427 IPC, registered at Police Station Malout City, District Sri Muktsar Sahib and the consequential proceedings arising therefrom are hereby quashed.

May 04, 2015  
*Vijay Asija*

( **HARI PAL VERMA** )  
**JUDGE**