

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

**Criminal Misc. No. M-2819 of 2015
Date of Decision:-08.5.2015**

Sanjiv Kumar and others

...Petitioners

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. P.K. Gupta, Advocate
for the petitioners.

Mr. P.S. Madahar, DAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing FIR No.89 dated 29.5.2010, under Sections 323, 324, 148 and 149 IPC, registered at Police Station Garhshankar, District Hoshiarpur (Annexure P-1) on the basis of compromise (Annexure P-2).

In compliance of the order dated 27.1.2015, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement. Pursuant thereto, the parties have appeared before the learned Magistrate on 09.4.2015 for getting their statements

recorded.

The report received from the learned Sub Divisional Judicial Magistrate, Garhshankar, reveals that the compromise effected between the parties is voluntarily and the same is genuine.

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 the FIR No.89 dated 29.5.2010, under Sections 323, 324, 148 and 149 IPC, registered at Police Station Garhshankar, District Hoshiarpur and the consequential proceedings arising therefrom are hereby quashed.

May 08, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE