

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

**Criminal Misc. No. M-28454 of 2015
Date of Decision: 23.09.2015**

Jalander Singh & others

...Petitioner(s)

Versus

State of Punjab & another

...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. H.R. Bhardwaj, Advocate
for the petitioner (s).

Mr. P.S. Madahar, AAG, Punjab.

Mr. Nishan Singh Chahal, Advocate
for respondent no.2.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.166 dated 4.12.2014 under Sections 452, 323, 148, 149 IPC registered at Police Station Nehianwala, District Bathinda (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 3.8.2015 (Annexure P-3).

This Court vide order dated 25.8.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording

their statements with regard to the compromise/settlement dated 3.8.2015 (Annexure P3) and the Illaqa Magistrate/trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 25.8.2015, the parties have appeared before Judicial Magistrate Ist Class, Bathinda and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 8.9.2015 to the effect that the compromise entered between the parties is genuine, voluntary and same has been entered without any coercion or undue influence. The statement of the complainant Sukhdev Kaur, respondent no.2, reads as under:-

“Stated that with the intervention of respectable person and relatives a compromise has been effected between us and dispute has been amicably settled on 3.8.2015. Our compromise has been effected without any pressure. Now, there is no dispute between me and accused party. FIR no.166 dated 4.12.2014 u/s 452, 323, 148, 149 IPC PS Nahianwala, District Bathinda, may kindly be quashed.

RO & AC

LTI (Sukhdev Kaur)

Sd/-

(Megha Sharma)/JMIC
28.8.2015”

Mr. Nishan Singh Chahal, Advocate appearing on behalf of respondent no.2 does not dispute the factum of compromise between the parties.

There is nothing on record to doubt the genuineness of

the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

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), as 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 No.166 dated 4.12.2014 under Sections 452, 323, 148, 149 IPC registered at Police Station Nehianwala, District Bathinda (Annexure P-1) and subsequent proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise dated 3.8.2015 (Annexure P-3).

September 23, 2015
AK

(HARI PAL VERMA)
JUDGE