

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-29746 of 2014

Decided on : 29.05.2015

Sukhdeep Singh @ Deepa and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : None for the petitioners.
Mr.Gurinderjit Singh, DAG, Punjab.

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?

Hari Pal Verma, J. (Oral)

Prayer in the present petition is for quashing of FIR No.76, dated 17.06.2014, under Sections 382, 323, 341 and 34 IPC, registered against the petitioners at Police Station Jamalpur, District Ludhiana (Annexure P/1) on the basis of compromise dated 12.08.2014 alongwith consequential proceedings arising therefrom.

On 24.02.2015, this Court has passed the following order:-

“The parties shall appear before the learned Trial Court on 04.03.2015, to get their statements recorded regarding the veracity of the compromise.

The learned Court, after recording the statements, will send a report regarding the genuineness of the compromise being arrived at between the parties, along with the statements, to the Registrar Judicial of this Court, within a week thereafter. The Court shall also report as to whether the present petition has been filed on behalf of all the accused and whether any of the

accused has been declared proclaimed offender in the present FIR? A copy of the report be also sent through fax.

List again on 04.05.2015..”

In compliance of the above order passed by this Court, the Judicial Magistrate, 1st Class, Ludhiana, has submitted a report dated 21.5.2015 vide which it is mentioned that parties have appeared before the trial Court and gave their statements without any pressure and with their free will in respect of compromise effected between them.

Learned State counsel has also admitted the factum of compromise effected between the parties. After perusing the statements of the parties and the report of Judicial Magistrate, 1st Class, Ludhiana, learned State counsel submits that he has no objection if the impugned FIR is quashed.

Heard.

The petitioners have been booked for having committed the offence punishable under Sections 382, 323, 341 and 34 IPC. They have now amicably effected the compromise with the complainant. The learned Judicial Magistrate, 1st Class, Ludhiana has recorded the statements of the parties with regard to compromise and the report has also been received in this regard. Therefore, continuation of the trial arising out of the impugned FIR would be a sheer abuse of the process of law because chances of conviction are bleak.

Keeping in view the factum of the compromise effected between the private parties and the law laid down by Full Bench of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab**

and another, 2007 (3) RCR (Criminal), 1052, (P&H), this petition is

accepted and FIR No.76, dated 17.06.2014, under Sections 382, 323, 341 and 34 IPC, registered against the petitioners at Police Station Jamalpur, District Ludhiana(Annexure P/1) along with consequential proceedings arising therefrom, are quashed.

[Hari Pal Verma]
Judge

29.05.2015
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