

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

**Criminal Misc. No. M-31026 of 2015
Date of Decision:-30.9.2015**

Gurdeep Singh and another

...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. Pardeep Singh Mirpur, Advocate
for the petitioners.

Mr. P.S. Madahar, AAG Punjab.

Mr. M.S. Sodhi, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.129 dated 18.8.2015, under Sections 324 and 323 read with Section 34 IPC (Section 326 IPC added later on), registered at Police Station Mour, District Bathinda (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 21.8.2015 (Annexure P-2).

Vide order dated 14.9.2015, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court to get their

statements recorded and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of the order dated 14.9.2015, the parties have appeared before the learned Magistrate on 18.9.2015 for getting their statements recorded.

The report dated 18.9.2015 received from the learned Judicial Magistrate 1st Class, Talwandi Sabo, reveals that the compromise effected between the parties is voluntarily, without undue influence, pressure and coercion.

The statement made by complainant Manpreet Singh before the Judicial Magistrate 1st Class, Talwandi Sabo, on 18.9.2015 reads as under :-

“Stated that matter has been compromised between us accused Gurdeep Singh aged about 26 years son of Mukand Singh son of Mith Singh, resident of Village Rajgarh Kube, Tehsil Talwandi Sabo, District Bathinda and Harpreet Singh aged about 30 years son of Gurjant Singh son of Sher Singh resident of Village Rajgarh Kube, Tehsil Talwandi Sabo, District Bathinda, voluntarily and without any pressure or coercion. No other case except the present FIR bearing No.129 dt. 18.08.2015 under Sections 324, 323, 34 IPC is pending between us and we do not have any grudge with opposite party and want to live peacefully. The present FIR may kindly be quashed.”

Learned counsel appearing for respondent No.2 does not dispute the fact of compromise effected between the parties.

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)*** and ***Gian Singh vs. State of Punjab and others, (2012) 10 SCC 303***, this petition is accepted and FIR No.129 dated 18.8.2015, under Sections 324 and 323 read with Section 34 IPC (Section 326 IPC added later on), registered at Police Station Mour, District Bathinda and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

September 30, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE