

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

**Criminal Misc. No. M-31893 of 2015
Date of Decision:-03.12.2015**

Mandeep 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. Naresh Gopal Sharma, Advocate
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.87 dated 4.7.2015, under Sections 406, 420 and 506 IPC, registered at Police Station Payal, District Khanna (Annexure P-1) alongwith all consequential proceedings on the basis of compromise dated 8.8.2015 (Annexure P-2).

Vide order dated 18.9.2015, 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 18.9.2015, the parties have appeared before the learned Magistrate on 27.11.2015 for getting their statements recorded.

The report dated 27.11.2015 received from the learned Sub Divisional Judicial Magistrate, Payal, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant-Gurdeep Singh before the Sub Divisional Judicial Magistrate, Payal, on 27.11.2015 reads as under :-

“Present case was registered on my statement. Now the compromise has been arrived at between me and the accused persons. The compromise has been arrived at without having any pressure, threat or coercion. Photocopy of Compromise deed is Ex.P1 which bears my signature. Compromise has been arrived at between me and the accused persons without having any inducement, threat or coercion. Compromise is genuine one. I have no objection, if the FIR against the accused is quashed. No other case is pending between me and the accused person. I produced photocopy of my Identity Card Ex.P2.”

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.87 dated 4.7.2015, under Sections 406, 420 and 506 IPC, registered at Police Station Payal, District Khanna and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

December 03, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE