

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-32977 of 2015

Date of Decision: 05.11.2015

Darshan 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. Rajiv Joshi, Advocate
for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

Ms. Ramneeq Kaur, 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.63 dated 14.10.2014 under Sections 323, 325 and 451 read with Section 34 of the Indian Penal Code, 1860 registered at Police Station Mullanpur Garibdas, District SAS Nagar, (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 27.5.2015 (Annexure P-2).

This Court vide order dated 29.9.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa

Magistrate/trial Court was directed to submit its report regarding the genuineness of the compromise.

Pursuant to the aforesaid order dated 29.9.2015, the parties have appeared before Judicial Magistrate Ist Class, Kharar and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 2.11.2015 to the effect that the compromise is genuine and the same has been arrived at voluntarily.

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.63 dated 14.10.2014 under Sections 323, 325 and 451 read with Section 34 of the Indian Penal Code, 1860 registered at Police Station Mullanpur Garibdas, District SAS Nagar, (Annexure P-1) and consequential proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise dated 27.5.2015 (Annexure P-2).

November 05, 2015
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(HARI PAL VERMA)
JUDGE