

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

**Criminal Misc. No. M-33074 of 2015
Date of Decision:-02.12.2015**

Vikram Punia

...Petitioner

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. A.S. Sullar, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

Mr. Gagandeep Singh, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.85 dated 3.8.2014, under Sections 420, 406 and 120-B IPC, registered at Police Station City-2, Abohar, District Fazilka, Punjab alongwith all consequential proceedings on the basis of compromise (Annexure P-2) and the affidavit of the complainant-respondent No.2 (Annexure P-3).

Vide order dated 29.9.2015, 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 29.9.2015, the parties have appeared before the learned Magistrate on 12.10.2015 for getting their statements recorded.

The report dated 15.10.2015 received from the learned Judicial Magistrate 1st Class, Abohar, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Santokh Singh before the Judicial Magistrate 1st Class, Abohar on 12.10.2015 reads as under :-

“Stated that the present case bearing FIR No.85 dated 3.8.2014, P.S. City-II, Abohar, under Sections 420/406/120B IPC was registered at my instance. Now, with the intervention of panchayat, I have compromised with the accused Vikram Punia son of Ravi Chander, resident of VPO Bazidpur Bhoma, Tehsil Abohar and said compromise is with my free Will and without any coercion and fear. To live amicably in the society and having good relation with the accused, the 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 also 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.85 dated 3.8.2014, under Sections 420, 406 and 120-B IPC, registered at Police Station City-2, Abohar, District Fazilka, Punjab and the consequential proceedings arising therefrom are hereby quashed qua petitioner.

The petition is disposed of.

December 02, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE