

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

**Criminal Misc. No. M-34426 of 2015
Date of Decision:-11.12.2015**

Kulwinder Singh alias Pammi and another

...Petitioners

Versus

State of Punjab and others

...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. Ajay Pal Singh, Advocate
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

Mr. Arun Kumar, Advocate
for respondents No.2 and 3.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.351 dated 30.11.2012, under Sections 458, 354, 323, 341, 427, 506 read with Section 34 IPC, registered at Police Station City Sangrur (Annexure P-1) alongwith all consequential proceedings on the basis of compromise dated 30.9.2015 (Annexure P-2).

Vide order dated 8.10.2015, 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 8.10.2015, the parties have appeared before the learned Magistrate on 16.10.2015 for getting their statements recorded.

The report dated 21.10.2015 received from the learned Additional Chief Judicial Magistrate, Sangrur, reveals that the compromise has been effected between the parties without any undue pressure.

Learned counsel appearing for respondent Nos.2 and 3 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 allowed and FIR No.351 dated 30.11.2012, under Sections 458, 354, 323, 341, 427, 506 read with Section 34 IPC, registered at Police Station City Sangrur and the consequential

proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

December 11, 2015
Vijay Asija

(*HARI PAL VERMA*)
JUDGE