

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

**Criminal Misc. No. M-34513 of 2014
Date of Decision:-30.04.2015**

Gagandeep Singh @ Jagga Singh

...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. Vinay Kumar Gupta, Advocate
for the petitioner.

Mr. P.S. Madahar, AAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.43 dated 17.2.2011, under Sections 279, 337, 338, 304-A and 427 IPC, registered at Police Station Kotwali, District Faridkot (Annexure P-1) on the basis of compromise dated 15.9.2014, whereby an affidavit has been furnished by respondent Angrej Singh son of Harnek Singh that he has no objection if the FIR in question is quashed.

Vide order dated 7.10.2014, this Court passed the following order :-

“Notice of motion for 19.1.2015.

In the meanwhile, the parties are directed to get their statements recorded before the trial Court on 26.11.2014 with regard to compromise. The trial Court is directed to record their statements to its satisfaction to know about the genuineness of the compromise and that their statements are not the result of any pressure or coercion in any manner. The trial Court will send the report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any other criminal proceedings are pending against either of the parties or not before the next date of hearing.

Adjourned to 19.1.2015 for awaiting the report of the trial Court.”

In compliance of the order dated 7.10.2014, the parties have appeared before the learned Judicial Magistrate 1st Class, Faridkot, on 26.11.2014 for getting their statements recorded.

The report received from the learned Judicial Magistrate 1st Class, Faridkot, reveals that the compromise effected between the parties is genuine and voluntarily and the same is without any pressure or coercion.

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 for an offence punishable under Sections 279, 337, 338, 304-A and 427 IPC, registered at Police Station Kotwali, District Faridkot 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)**, this petition is accepted and FIR No.43 dated 17.2.2011, under Sections 279, 337, 338, 304-A and 427 IPC, registered at Police Station Kotwali, District Faridkot and the consequential proceedings arising therefrom are hereby quashed.

April 30, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE