IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36505 of 2015
Date of decision: 18.12.2015

Babu & others

-----Petitioner (s)

V/s

State of Punjab & others

-----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. Vaibhav Narang, Advocate for the petitioner(s).

Mr. R.S. Nain, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.356 dated 21.9.2014, under Sections 452, 323, 148 and 149 IPC, registered at Police Station 'A' division, District Amritsar City and all the proceedings subsequent arising therefrom on the basis of compromise dated 24.12.2014 (Annexure P-1).

This Court vide order dated 28.10.2015 had directed the parties to appear before the Illaqa Magistrate/Trial Court to get their statements recorded with regard to the compromise 24.12.2014 (Annexure P-1) and the Illaqa Magistrate/Trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 28.10.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Amritsar, and got their statements recorded. On the basis of the statements so recorded,

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learned Magistrate has forwarded his report dated 30.11.2015 to the effect that parties have compromised the matter voluntarily, without any threat or coercion. It is further reported that besides the petitioners, FIR was also registered against Sheefa son of Quasim Deen, however, said Sheefa has since died.

Apart from the statement of the complainants, whereby they have shown no objection to the FIR being quashed, 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.

Learned counsel for the State, on instructions from ASI-Jujhar Singh, does not dispute the factum of compromise entered between the parties.

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.356 dated 21.9.2014, under Sections 452, 323, 148 and 149 IPC, registered at Police Station 'A' division, District Amritsar City and all the proceedings subsequent arising therefrom, are quashed, qua the petitioners, in view of compromise dated 24.12.2014 (Annexure P-1).

18.12.2015 **(HARI PAL VERMA)**
ANJAL **JUDGE**

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