

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

**Criminal Misc. No. M-36983 of 2014
Date of Decision:-25.5.2015**

Gurdas Singh and others

...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. Sunny K. Singla, Advocate
for the petitioners.

Mr. Sultan Singh Gill, DAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.119 dated 27.10.2011, under Sections 452, 323, 325, 120-B, 34 IPC, registered at Police Station Raman, District Bathinda (Annexure P-1) and all other consequential proceedings emanating therefrom on the basis of compromise dated 22.10.2014 (Annexure P-3) and the affidavits (Annexure P-2) of legal representatives of complainant-Balvir Singh, who is stated to be died.

Vide order dated 30.1.2015, 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 30.1.2015, the petitioners and respondents No.2 to 4 (being legal representatives of complainant Balvir Singh, who is stated to be died) have appeared before the learned Magistrate on 24.4.2015 for getting their statements recorded. Respondent No.2-Gurjeet Kaur has recorded the statement on her behalf and also on behalf of respondent No.4-Mandeep Kaur d/o Balvir Singh, who is stated to be married and due to this reason, she could not come present in the Court for recording her statement. Respondent No.2-Gurjeet Kaur clearly stated in the Court that her daughter has also no objection if the present FIR is cancelled and she also takes responsibility in this regard on behalf of respondent No.4-Mandeep Kaur.

The report received from the learned Sub Divisional Judicial Magistrate, Talwandi Sabo, reveals that the compromise has been effected between the parties without any undue pressure.

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 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.119 dated 27.10.2011, under Sections 452, 323, 325, 120-B, 34 IPC, registered at Police Station Raman, District Bathinda and the consequential proceedings arising therefrom are hereby quashed.

May 25, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE