

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

**Criminal Misc. No. M-37092 of 2015
Date of Decision: 19.12.2015**

Bharat Bhushan & others

...Petitioner(s)

Versus

State of Punjab & another

...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. Naveen Batra, Advocate
for the petitioners.

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

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.14 dated 30.1.2010 under Sections 406/407 of the Indian Penal Code, 1860 registered at Police Station Model Town, Hoshiarpur, (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 12.10.2015 (Annexure P-2).

This Court vide order dated 2.11.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report regarding the genuineness of the compromise.

Pursuant to the aforesaid order dated 2.11.2015, the parties have appeared before Chief Judicial Magistrate, Hoshiarpur and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 30.11.2015 to the effect that the compromise is genuine and the same has been effected voluntarily, without any pressure or coercion and now they want to live peacefully.

The statement of Jaswinder Singh, complainant, reads as under:-

“The FIR No.14 dated 30.01.2010 U/s 406, 407 IPC was registered at P.S. Model Town, Hoshiarpur on the basis of my complaint before the SHO of P.S. Model Town, Hoshiarpur. Now, with the intervention of respectables the dispute between me and accused has been settled amicably and voluntarily vide compromise deed dated 12.10.2015, (original compromise deed has already been submitted before the Hon’ble High Court), which bears my signatures. Now, there is no dispute between me and accused. I have no grudge against the accused. The compromise is effected for the welfare of the parties. The compromise has been effected without any fear, threat, pressure or coercion and is with my own sweet will. I have no objection if the abovesaid FIR is quashed against the accused and the accused be acquitted. Three persons are involved as accused in the present case.

RO & AC
Sd/- (Jaswinder Singh)

Sd/-
(Amrinder Pal Singh)
Chief Judicial Magistrate
Hoshiarpur/20.11.2015”

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.

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.14 dated 30.1.2010 under Sections 406/407 of the Indian Penal Code, 1860 registered at Police Station Model Town, Hoshiarpur, (Annexure P-1) and consequential proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise dated 12.10.2015 (Annexure P-3).

December 19, 2015
AK

(HARI PAL VERMA)
JUDGE