

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

**Criminal Misc. No. M-37271 of 2015
Date of Decision:-21.12.2015**

Manoj Kandpal

...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. Daman Jeet Bhoriwal, Advocate
for the petitioner.

Mr. R.S. Nain, Assistant A.G., Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.160 dated 28.2.2010, under Sections 420, 467, 465, 468, 471 and 474 IPC, registered at Police Station Kotwali Bathinda, District Bathinda (Annexure P-1) alongwith all consequential proceedings on the basis of compromise dated 15.10.2015 (Annexure P-2).

Vide order dated 31.10.2015, 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 31.10.2015, the parties have appeared before the learned Magistrate for getting their statements recorded.

The report dated 16.11.2015 received from the learned Chief Judicial Magistrate, Bathinda, suggests that respondent No.2-complainant Shakuntla Devi has made a statement that the FIR in the case was registered on her complaint and she has effected a compromise with the petitioner. She has further stated that she has no objection if the FIR No.160 dated 28.2.2010, under Sections 420, 467, 465, 468, 471, 474 IPC, registered at Police Station Kotwali, Bathinda is quashed against the accused/petitioner.

Learned State counsel on instructions from ASI Narender Singh 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.160 dated 28.2.2010, under

Sections 420, 467, 465, 468, 471 and 474 IPC, registered at Police Station Kotwali Bathinda, District Bathinda and the consequential proceedings arising therefrom are hereby quashed qua petitioner.

The petition is disposed of.

December 21, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE