

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

CRM-M-37879 of 2015.
Decided on:-10.12.2015.

Gurmukh 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. P.S. Dhaliwal, Advocate
for the petitioners.

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

Mr. Rajesh Kumar, Advocate
for respondents No.2 to 4.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.56 dated 20.9.2007 under Sections 323, 326, 447, 148 and 149 IPC registered at Police Station Barnala, District Barnala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 11.9.2015 (Annexure P-4).

Learned counsel for the petitioners contends that the petitioners were acquitted by the trial Court vide judgment dated 14.5.2015 (Annexure

P-2). However, the State has preferred an appeal against the judgment of acquittal which is pending before learned Additional Sessions Judge, Barnala. The petitioners have been summoned in the said appeal and during the pendency of appeal before the lower appellate Court, the matter has been compromised between the parties.

This Court vide order dated November 06, 2015 had directed the parties to appear before the trial Court, i.e. where the case is pending, to get their statements recorded and the Court was directed to submit its report about the genuineness of compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Additional Sessions Judge, Barnala and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Additional Sessions Judge has submitted his report dated 1.12.2015 to the effect that the compromise has been effected between the parties and the same is voluntarily, without any pressure and coercion.

Learned State counsel, on instructions from HC Jasvir Singh, does not dispute the factum of compromise.

Learned counsel for respondents No.2 to 4 also concedes that the matter has been compromised between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the lower appellate Court in the instant F.I.R. as the chances of conviction of the petitioners are very bleak.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed. Consequently, the F.I.R. No.56 dated 20.9.2007 under Sections 323, 326, 447, 148 and 149 IPC registered at Police Station Barnala, District Barnala (Annexure P-1) and all consequential proceedings arising therefrom is quashed, on the basis of compromise dated 11.9.2015 (Annexure P-4). As such, the appeal pending against the petitioners has become infructuous and shall be declared so by the lower appellate Court.

December 10, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE