

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-41223 of 2014

Date of decision: 20.08.2015

Surjit Singh and others

V/s

----Petitioner(s)

State of Punjab and 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. P.S. Punia, Advocate for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. A.K. Garg, Advocate for respondents No.2 to 4.

HARI PAL VERMA, J. (Oral)

Prayer in this petition is for quashing of the case FIR No. 145, dated 24.10.2014(Annexure P-1) for the offences under Sections 459, 323, 427, 506, 148 and 149 IPC, registered at Police Station, Amargarh, District Sangrur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 29.11.2014 (Annexure P-2).

This Court vide order dated 02.03.2015, had directed the parties to appear before the trial Court/Illaqa Magistrate to get their statements recorded and the trial Court/Illaqa Magistrate was further directed to submit its report about the genuineness of the compromise, as per the statements of the parties so recorded.

Accordingly, the parties have appeared before learned Judicial Magistrate Ist Class, Malerkotla, and got their statements recorded. On the basis of the statements, so recorded by the parties, learned Judicial Magistrate Ist Class, Malerkotla, has submitted his report dated 29.04.2015, to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

Learned State Counsel as well as learned counsel for respondents No. 2 to 4 do not dispute the factum of compromise.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR *qua* the petitioners.

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) and 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.145, dated 24.10.2014(Annexure P-1) for the offences under Sections 459, 323, 427, 506, 148 and 149 IPC, registered at Police Station, Amargarh, District Sangrur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 29.11.2014(Annexure P-2), are hereby quashed.

August 20, 2015
Anjal

(HARI PAL VERMA)
JUDGE