

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

**Criminal Misc. No. M-41462 of 2014
Date of Decision:-05.5.2015**

Karamjit Singh

...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. R.S. Athwal, Advocate
for the petitioner.

Mr. P.S. Madahar, AAG Punjab.

Mr. Jagtar Singh, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.171 dated 7.11.2014, under Section 307 IPC and Section 25/54/59-A of the Arms Act, registered at Police Station City, Kharar, District SAS Nagar (Mohali) (Annexure P-1) on the basis of compromise dated 26.11.2014 (Annexure P-2).

Vide order dated 4.12.2014, this Court passed the following order :-

“Notice of motion for 6.2.2015.

This is a petition for quashing the FIR on the basis of compromise.

The parties are directed to appear before the Illaqa Magistrate/trial Court on 17.12.2014 and the Illaqa Magistrate/trial Court shall record the statement of all the effected parties and shall report whether any volunteer compromise has been arrived at between the parties or not?

Report of the Illaqa Magistrate/trial Court in this regard be called for the date fixed.”

In compliance of the order dated 4.12.2014, the parties have appeared before the learned Illaqa Magistrate on 17.12.2014 for getting their statements recorded.

The report received from the learned Sub Divisional Judicial Magistrate, Kharar, reveals that the compromise as effected between the parties is voluntarily, without any coercion and undue influence.

Learned State counsel as well as learned counsel for respondent No.2 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 for an offence punishable under Section 307 IPC and Section 25/54/59-A of the Arms Act 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 dated 26.11.2014 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 (Cr.) 1052 (P & H), this petition is accepted and FIR
No.171 dated 7.11.2014, under Section 307 IPC and Section 25/54/59-A
of the Arms Act, registered at Police Station City, Kharar, District SAS
Nagar (Mohali) and the consequential proceedings arising therefrom are
hereby quashed.

May 05, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE