

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

CRM-M-42548 of 2014

Date of decision: 07.07.2015

Kewal Singh

----Petitioner(s)

V/s

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. B.S. Jaswal, Advocate for the petitioner(s).

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

Mr. Ramesh Sharma, Advocate for
Mr. Deepak Kumar, Advocate for respondent no.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.101 dated 30.09.2014, under Sections 323/324//427/148/149 IPC registered at Police Station, Batala, District-Gurdaspur (Annexure P-1) and in offence under Section 326 IPC which was added vide DDR No.16, dated 02.10.2014 and all subsequent proceedings arising therefrom on the basis of compromise dated 01.12.2014 (Annexure P-2).

This Court vide order dated 26.02.2015, had directed the parties to appear before the Illaqa Magistrate on 04.04.2015 to get their statements recorded and the Illaqa Magistrate was

directed to submit his report about the genuineness of the compromise as per the statements so recorded.

Accordingly, the parties have appeared before learned Judicial Magistrate Ist Class, Batala(Duty) and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate Ist Class, Batala(Duty) has submitted his report dated 06.04.2015 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 appearing on behalf of respondent No.2 have also endorsed the factum of compromise effected between the parties.

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 petitioner. However, considering the fact that the FIR was registered on 30.09.2014 and the State machinery was put to its optimum use till date, the petitioner is liable to pay costs.

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.101 dated 30.09.2014, under Sections 323/324//427/148/149 IPC registered

at Police Station, Batala, District-Gurdaspur (Annexure P-1) and in offence under Section 326 IPC which was added vide DDR No.16, dated 02.10.2014 and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 01.12.2014 (Annexure P-2), subject to payment of costs of Rs.5,000/- to be deposited with the Punjab State Legal Services Authority, Chandigarh, receipt of which shall be submitted in the registry of this Court within one month from today and the registry shall tag the same with the case file.

July 07, 2015

Anjal

**(HARI PAL VERMA)
JUDGE**