

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

**Criminal Misc. No. M-42838 of 2014  
Date of Decision: 01.07.2015**

Kulwant Singh & others

...Petitioner(s)

Versus

State of Punjab & 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. M.K. Bhatnagar, Advocate for  
Mr. D.R. Singla, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.  
Mr. Inderjit Sharma, Advocate respondents no.2 to 5.

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**HARI PAL VERMA J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.76 dated 3.11.2006 under Sections 307/323/325/34 IPC and Sections 25/30/54/59 of the Arms Act registered at Police Station Badhaur, District Barnala (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 12.3.2007 (Annexure P3).

This Court vide order dated 16.12.2014, had directed the parties to appear before the Area Magistrate to get their statements recorded and the Area Magistrate was directed to submit its report about the genuineness of the compromise as per the statements so recorded.

Pursuant to order dated 16.12.2014 as well as order dated 19.5.2015 of this Court, the parties have appeared before learned Additional Chief Judicial Magistrate, Barnala, who has submitted his report dated 11.6.2015 to the effect that the compromise entered between the

parties is genuine and the same has been effected between the parties without any pressure or undue influence and the complainant/victims Sukhmandar Singh, Jagsir Singh, Jagmit Singh and Sukhpal Singh have suffered a statement on oath to the effect that the compromise has been executed willingly and they agree with the same and have no objection in case the FIR against the accused is quashed. In this manner, the compromise is found to be genuine.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR. However, considering the fact that the FIR was registered on 3.11.2006 and the State machinery was put to its optimum use till date, the petitioners are liable to pay costs.

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.76 dated 3.11.2006 under Sections 307/323/325/34 IPC and Sections 25/30/54/59 of the Arms Act registered at Police Station Badhaur, District Barnala (Annexure P-1) and subsequent proceedings arising therefrom are quashed, on the basis of compromise dated 12.3.2007 (Annexure P3), subject to payment of costs of Rs.10,000/-, to be desposited with the Punjab State Legal Services Authority, Chandigarh.

July 01, 2015  
**ak**

**( HARI PAL VERMA )**  
**JUDGE**