

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

**Criminal Misc. No. M-4869 of 2015
Date of Decision:-05.5.2015**

Sukhbir Singh @ Sukha 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. K.S. Kahlon, Advocate for
Mr. D.S. Pheruman, Advocate
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

Mr. Imran Farooqi, Advocate
for respondents 2 to 4.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.105 dated 10.12.2013, under Sections 452, 427, 323, 506, 34, 306 IPC, registered at Police Station Khalra, District Tarn Taran (Annexure P-2) on the basis of compromise dated 14.11.2014 (Annexure P-3).

Vide order dated 13.2.2015, this Court passed the following order :-

“Notice of motion for 5.5.2015.

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

The parties are directed to appear before the trial Court/Ilalaqa Magistrate on 27.2.2015 and the trial Court/Ilalaqa Magistrate 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 trial Court/Ilalaqa Magistrate in this regard be called for the date fixed.”

In compliance of the order dated 13.2.2015, the parties have appeared before the learned Magistrate on 13.3.2015 for getting their statements recorded.

The report received from the learned Sub Divisional Judicial Magistrate, Patti, reveals that the compromise has been effected between the parties and it seems to be volunteer, genuine and without any influence, coercion or inducement.

Learned State counsel as well as learned counsel for respondents No.2 to 4 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 Sections 452, 427, 323, 506, 34, 306 IPC 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 14.11.2014 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.105 dated 10.12.2013, under Sections 452, 427, 323, 506, 34, 306 IPC, registered at Police Station Khalra, District Tarn Taran and the consequential proceedings arising therefrom are hereby quashed.

May 05, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE