

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

**Criminal Misc. No. M-5032 of 2015
Date of Decision:-11.5.2015**

Gian Singh @ Beeta 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. Ajay Arora, Advocate
for the petitioners.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

Mr. M.S. Bajwa, Advocate
for respondent Nos.2 to 4.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of DDR Rapat No.34 dated 4.11.2014, under Sections 323 and 325 read with Section 34 IPC, registered at Police Station, Phillaur (Annexure P-2) in FIR No.281 dated 29.10.2014, under Sections 323, 324 and 506 read with Section 34 IPC (Section 326 IPC added later on), registered at Police Station Phillaur, District Jalandhar (Annexure P-1), on the basis of compromise dated 31.1.2015 (Annexure P-3).

Vide order dated 16.2.2015, this Court has directed the parties to appear before the trial Court to get their statements recorded

and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of the order dated 27.3.2015, the parties have appeared before the learned Magistrate on 09.4.2015 for getting their statements recorded.

The report received from the learned Sub Divisional Judicial Magistrate, Phillaur, attached with connected case bearing Criminal Misc. No. M-3830 of 2015 titled 'Satnam Singh @ Satta and others vs. State of Punjab and other' reveals that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

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 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 31.1.2015 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 (Crl.) 1052 (P & H)**, this petition is accepted and DDR Rapat No.34 dated 4.11.2014, under Sections 323 and 325 read with Section 34 IPC, registered at Police Station, Phillaur (Annexure P-2) in

FIR No.281 dated 29.10.2014, under Sections 323, 324 and 506 read with Section 34 IPC (Section 326 IPC added later on), registered at Police Station Phillaur, District Jalandhar and the consequential proceedings arising therefrom are hereby quashed.

May 11, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE