

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

**Criminal Misc. No. M-6385 of 2014 (O&M)
Date of Decision: 30.09.2015**

Lachman Khan & others

...Petitioner(s)

Versus

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. Saqib Ali Khan, Advocate
for the petitioner (s).

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Rahul Sharma, 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.95 dated 28.4.2013 under Sections 341/323/506/148/149/427 IPC registered at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 21.12.2013 (Annexure P-2).

This Court vide order dated 21.2.2014 had directed the parties to appear before the trial Court to get their statements recorded with regard to the compromise dated 21.12.2013 (Annexure

P2) and the trial Court was directed to submit its report. However, complainant could not appear before the trial Court and again, vide order dated 2.9.2015, petitioners were directed to move an appropriate application for recording the statement of the complainant before the trial Court.

Pursuant to the aforesaid orders dated 21.2.2014/ 2.9.2015, the parties have appeared before Judicial Magistrate Ist Class, Dhuri and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 22.9.2015 to the effect that the compromise is genuine, voluntary and without any coercion or undue influence. The statement of the complainant-Mohd. Waseem @ Jhalla reads as under:-

“That FIR No.95 dated 28.04.2013, under Sections 341, 323, 506, 148, 149, 427 IPC was registered on my statement at Police Station Sadar, Dhuri, against accused Lachhman Khan, Mukhtiar Ahmed, Mohd. Yaseen @ Peter and Khalid Khan @ Sonu. The matter in dispute qua FIR referred above has been compromised between me and the accused with the intervention of respectables and the said compromise is made without any pressure or coercion. No other case is pending between us. In view of compromise dated 21.12.2013 (Annexure -P/2) which is already attached with the CRM before the Hon'ble Punjab and Haryana High Court, I have no objection if the present FIR is quashed and the quashing petition filed by the accused

before Hon'ble High Court is accepted.

RO&AC
(Sd/-)

Sd/-
(Amandeep Kamboj),
JMJC, Dhuri. 18.09.2015"

Learned counsel for respondent no.2 does not dispute the factum of compromise and has no objection to the FIR being quashed.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

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)**, as 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.95 dated 28.4.2013 under Sections 341/323/506/148/149/427 IPC registered at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) and subsequent proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise dated 21.12.2013 (Annexure P-2).

September 30, 2015
AK

(**HARI PAL VERMA**)
JUDGE