

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-7020 of 2015

Date of decision: 13.05.2015

Harish Chander and others

----Petitioner(s)

V/s

Balwinder Kumar

-----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. Vinay Kumar Pandey, Advocate for
Mr. Abhinav Gupta, Advocate for the petitioners.

Mr. Mohit Sadana, Advocate for
Mr. M.S. Sachdev, Advocate for the respondent.

HARI PAL VERMA, J. (Oral)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of complaint No. 31092 of 2008, titled as "*Balwinder Kumar Vs. Harish Chander and others*", under Sections 452, 324, 323 and 506 IPC(Annexure P-1), which is pending in the Court of Illaqa Magistrate, Jalandhar, on the basis of compromise(Annexure P-3).

This Court vide order dated 31.03.2015, had directed the parties to appear before the illaqa Magistrate to get their statements recorded and the illaqa Magistrate was directed to submit its report about the genuineness of the compromise, as per the statements of parties so recorded.

Accordingly, the parties have appeared before learned Civil Judge (Junior Division)-cum-Judicial Magistrate, 1st Class, (Duty), Jalandhar, and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Civil Judge (Junior Division)-cum-Judicial Magistrate, 1st Class, (Duty), Jalandhar, has submitted his report dated 22.04.2015 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.

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 petitioners.

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 complaint No. 31092 of 2008, titled as "*Balwinder Kumar Vs. Harish Chander and others*", under Sections 452, 324, 323 and 506 IPC(Annexure P-1), which is pending in the Court of Illaqa Magistrate, Jalandhar, and all the subsequent proceedings arising therefrom *qua* the petitioners, are quashed on the basis of compromise (Annexure P-3).

May 13, 2015
Anjal

(HARI PAL VERMA)
JUDGE