

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-8997 of 2015

Date of decision: 12.05.2015

Gurinder Singh @ Lalli Bhinder

----Petitioner(s)

V/s

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. R.K. Arya, Advocate for the petitioner(s).

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.49, dated 23.07.2014(Annexure P-1), under Sections 324, 323, 295-A, 385, 342, 148 and 149 IPC registered at Police Station Kalanaur, District-Gurdaspur, and other consequential proceedings on the basis of compromise dated 04.02.2015 (Annexure P-2)

This Court vide order dated 20.03.2015, had directed the parties to appear before the illaqa Magistrate/trial Court to get their statements recorded and the illaqa Magistrate/trial Court was directed to submit its report about the genuineness of the

compromise dated 04.02.2015, as per the statements of parties so recorded.

Accordingly, the parties have appeared before learned Judicial Magistrate, Ist Class, Gurdaspur and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate, Ist Class, Gurdaspur, has submitted his report dated 17.04.2015 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 petitioner. However, considering the fact that the FIR was registered on 23.07.2014 and the State machinery was put to its optimum use till date, the petitioner is liable to pay costs.

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 FIR No.49, dated 23.07.2014(Annexure P-1), under Sections 324, 323, 295-A, 385, 342, 148 and 149 IPC registered at Police Station Kalanaur, District-Gurdaspur, and other consequential proceedings arising therefrom *qua* the petitioner, is quashed on the basis of compromise dated 04.02.2015 (Annexure P-2), subject to

payment of costs of Rs.10,000/- to be deposited with the Punjab State Legal Services Authority, Chandigarh, receipt of which shall be submitted in the registry of this Court within one month from today and the registry shall tag the same with the case file.

May 12, 2015
Anjal

(HARI PAL VERMA)
JUDGE