

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

**Criminal Misc. No. M-10796 of 2016
Date of Decision:-01.06.2016**

Simranjit Singh @ Simarjit Singh and another

...Petitioners

Versus

State of Punjab and another

...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. Gursimran Singh Bhatia, Advocate
for the petitioners.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.230 dated 10.7.2015, under Sections 336, 427 and 506 IPC and Section 25/27 of the Arms Act, registered at Police Station Civil Lines, District Amritsar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 21.12.2015 (Annexure P-2).

Vide order dated 30.3.2016, this Court had directed the parties to appear before the Illaqa Magistrate/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 30.3.2016, the parties have appeared before the learned Magistrate on 22.4.2016 for getting their statements recorded.

The report dated 10.5.2016 received from the learned Chief Judicial Magistrate, Amritsar, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Anita Mehra before the Chief Judicial Magistrate, Amritsar, on 22.4.2016 reads as under :-

“I have got registered FIR No.230 dated 10.7.2015, under Sections 336, 427, 506 IPC and 25/27 of the Arms Act, Police Station Civil Lines, Amritsar against the accused Simranjit Singh @ Simarjit Singh and Gurjit Singh and now with intervention of the respectables the entire matter between me and the accused has been amicably settled. I have arrived at the compromise with the accused at my own free will and without any pressure or coercion. There is no other case pending except the present one. I have got no objection if the FIR No.230 of 10.7.2015 under Sections 336, 427, 506 of Indian Penal Code and 25/27 of the Arms Act, Police Station Civil Lines, Amritsar be quashed.”

Learned State counsel does not dispute the aforesaid factual position, rather admits 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 conviction are bleak.

Keeping in view the factum of compromise effected between the parties 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)** and as approved by Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.230 dated 10.7.2015, under Sections 336, 427 and 506 IPC and Section 25/27 of the Arms Act, registered at Police Station Civil Lines, District Amritsar and the consequential proceedings arising therefrom are hereby quashed qua petitioners on the basis of compromise.

June 01, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE