

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

**Criminal Misc. No. M-12172 of 2016
Date of Decision:-01.06.2016**

K. Deep Singh @ Kuldeep Singh

...Petitioner

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. Harvinder Singh Maan, Advocate
for the petitioner.

Mr. P.S. Madahar, AAG, Punjab.

Mr. Sukhdeep Singh Aulakh, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.21 dated 6.3.2016, under Section 295-A IPC, registered at Police Station Phul, District Bathinda (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

Vide orders dated 7.4.2016 and 18.5.2016, this Court had 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 with the above orders, the parties have appeared before the learned Magistrate on 24.5.2016 for getting their statements recorded.

The report dated 25.5.2016 received from the learned Sub Divisional Judicial Magistrate, Phul, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Anmol Insan before the SDJM, Phul, on 24.5.2016 reads as under :-

“Stated that I have compromised the matter in dispute with the accused out of my own sweet will and without any kind of pressure, coercion or influence. I have no objection, if the FIR registered against the accused is quashed.”

Learned counsel appearing for respondent No.2 does not dispute the fact of compromise effected between the parties.

Learned State counsel also 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.21 dated 6.3.2016, under Section 295-A IPC, registered at Police Station Phul, District Bathinda and the consequential proceedings arising therefrom are hereby quashed qua petitioner on the basis of compromise.

June 01, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE