

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

CRM-M-14963 of 2015
Decided on:-21.03.2016.

Amandeep Singh and others

.....Petitioners.

Versus

State of Punjab and others

.....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. Jasbir Mor, Advocate
for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Harinder Singh, Advocate
for respondents No.3 and 4.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.107 dated 13.07.2014 under Sections 379, 427 and 34 IPC registered at Police Station Phase 8, SAS Nagar (Mohali), and all consequential proceedings arising therefrom on the basis of compromise.

This Court vide order dated September 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 qua the genuineness of the compromise along with copies of the statements.

Pursuant to the aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Mohali and got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 06.01.2016 to the effect that the compromise has been arrived at between the parties voluntarily and without any pressure or coercion from any corner.

Learned State counsel on instructions from HC Baldev Singh, states that recovery of stolen articles have been effected from the petitioners and same has been deposited with the Malkhana and the person, who would be entitled to claim these articles, would be at liberty to approach the concerned Court by moving appropriate application.

The factum of compromise between the petitioners and respondents No.3 and 4 has not been disputed by learned State counsel as well as learned counsel for respondents No.3 and 4.

The respondents No.3 and 4-complainants, Rajbir Singh and Kuldeep Kumar, have made the following joint statement before learned Magistrate on 24.08.2015:-

“Stated that on our statement the present case was registered at Police Station Phase 8 Mohali against the accused. However, with the intervention of the respectable persons matter has been compromised between us without any force, undue influence. The affidavits of the complainants to this effect is Ex.PA and Ex.PB. The said compromise is voluntarily, without any force, fraud, fear and pressure of

anyone. The FIR may kindly be quashed.”

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.107 dated 13.07.2014 under Sections 379, 427 and 34 IPC registered at Police Station Phase 8, SAS Nagar (Mohali) and all consequential proceedings arising therefrom are quashed on the basis of compromise.

March 21, 2016
Vinay

(HARI PAL VERMA)
JUDGE