

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

**Criminal Misc. No. M-2514 of 2016**

**Date of Decision:-14.3.2016**

Prabhjeet 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. Chanchal K. Singla, Advocate  
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

**HARI PAL VERMA J.(Oral)**

Prayer in the present petition is for quashing of FIR No.159 dated 20.8.2015, under Sections 420, 465, 468, 471 and 120-B IPC, registered at Police Station Navi Baradari, District Jalandhar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

Vide order dated 22.1.2016, 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 22.1.2016, the complainant and petitioner No.1 appeared before the learned Magistrate on 09.2.2016 for getting their statements recorded.

Learned counsel for the petitioners has filed the affidavit of petitioner No.2 Harpreet Singh in the Court, which is taken on record. He submits that though the statements of complainant-Kamaljit Singh and petitioner No.1-Prabhjeet Singh have been recorded before the learned Magistrate on 9.2.2016 but petitioner No.2-Harpreet Singh could not appear before the learned Magistrate to get his statement recorded on the date fixed as there being a bravement in his family as his father was expired on 30.1.2016 and on 07.2.2016 there was *Bhog* Ceremony.

However, the report dated 09.2.2016 alongwith the covering letter dated 11.3.2016 received from the learned Judicial Magistrate 1<sup>st</sup> Class, Jalandhar, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Kamaljit Singh before the Judicial Magistrate 1<sup>st</sup> Class, Jalandhar, on 09.2.2016 reads as under :-

*“Stated that I have entered in to the compromise with my free will and without any coercion or undue influence with Prabhjeet Singh son of Ravinder Pal Singh R/o H.No.490, Khalsa Mohalla Patiala, Punjab and Harpreet Singh s/o Inderjit Singh R/o H.No.441, Natan Wali, Patiala, Punjab. I have no objection if the FIR be quashed/canceled against said Prabhjeet Singh and Harpreet Singh. Photocopy of my driving licence is Ex.RX1. (Original seen and returned).”*

Learned State counsel does not dispute the aforesaid factual position, rather admit 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 the 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 accepted and FIR No.159 dated 20.8.2015, under Sections 420, 465, 468, 471 and 120-B IPC, registered at Police Station Navi Baradari, District Jalandhar and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

March 14, 2016  
Vijay Asija

**( HARI PAL VERMA )**  
**JUDGE**