

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

**Criminal Misc. No. M-3220 of 2016
Date of Decision:-05.04.2016**

Gurmukh 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. Avtar S. Khinda, Advocate
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

Mr. D.S. Nigha, Advocate
for respondents No.2 and 3.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.203 dated 21.12.2015, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Sultanpur, District Kapurthala (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 12.1.2016 (Annexure P-2).

Vide order dated 29.1.2016, 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 of the order dated 29.1.2016, the parties have appeared before the learned Magistrate on 15.3.2016 for getting their statements recorded.

The report dated 23.3.2016 received from the learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by respondent No.2-complainant Harsimran Dhillon before the SDJM, Sultanpur Lodhi, District Kapurthala, on 15.3.2016 reads as under :-

“Stated that, I have compromised the matter with petitioners/accused Gurmukh Singh son of Jaspal Singh, Jaspal Singh son of Geja Singh and Manjit singh son of Pritam Singh, all residents of Village Sukhia Nangal, Tehsil and District Kapurthala, voluntarily without any pressure, threat or coercion with the intervention of respectables of the locality and our relatives, to keep harmony amongst the parties. As per compromise deed dated 12.1.2016, I have no objection, if the present FIR against all the accused be quashed. Except the present case, there is no other case between the parties is pending in any other Court.”

Respondent No.3 Darshdeep Kaur Parmar has also made a similar statement with regard to the compromise effected between the parties.

Learned counsel appearing for respondent Nos.2 and 3 does not dispute the fact of compromise effected between the parties.

Learned State counsel also 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 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.203 dated 21.12.2015, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Sultanpur, District Kapurthala and the consequential proceedings arising therefrom are hereby quashed qua petitioners on the basis of compromise.

April 05, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE