

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

**Criminal Misc. No. M-38497 of 2015
Date of Decision:-02.02.2016**

Sahil Anand

...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. D.S. Gandhi, Advocate
for the petitioner.

Mr. R.S. Nain, AAG Punjab.

Mr. B.B.S. Randhawa, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.144 dated 22.5.2013, under Sections 420, 467, 468 and 471 IPC, registered at Police Station Civil Lines, Amritsar City (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise in the form of affidavit of respondent No.2 (Annexure P-2).

Vide order dated 16.11.2015, this Court has 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 16.11.2015, the parties have appeared before the learned Magistrate on 11.12.2015 for getting their statements recorded.

The report dated 30.1.2016 received from the learned Judicial Magistrate 1st Class, Amritsar, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Kunal Sharma before the Judicial Magistrate 1st Class, Amritsar, on 11.12.2015 reads as under :-

“Stated that with intervention of respectable and relatives compromise has been arrived between me and accused Sahil Anand. I am fully satisfied with the terms and conditions of compromise. Now I do not want to proceed with the present case against the accused. I do not want to take any action against accused Sahil Anand. At present we are living in peaceful manner and have no grudge against each other. I do not have any objection if the FIR No.144/13 under Sections 420, 467, 471 IPC, P.S. Civil Line being quashed against the accused. I am making the statement voluntarily and without any threat or coercion.”

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

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 ***Gian Singh vs. State of Punjab and others, (2012)10 SCC 303***, this petition is accepted and FIR No.144 dated 22.5.2013, under Sections 420, 467, 468 and 471 IPC, registered at Police Station Civil Lines, Amritsar City and the consequential proceedings arising therefrom are hereby quashed qua petitioner.

The petition is disposed of.

February 02, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE