

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

CRM-M-38561 of 2015 (O&M).
Decided on:-09.02.2016.

Subham alias Mofi and another

.....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. Sunil Agnihotri, Advocate
for the petitioners.

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

Mr. Anuj Thakur, Advocate
for respondents No.2 and 3.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.129 dated 23.7.2015 under Sections 323, 324, 341, 452, 148 and 149 IPC registered at Police Station Mukerian, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 29.7.2015 (Annexure P-2).

This Court vide order dated November 16, 2015 had directed the parties to appear before the Illaqa Magistrate/trial Court and the trial Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate 1st Class, Mukerian and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 14.12.2015 to the effect that the compromise is genuine, voluntary and without any coercion or undue influence.

The factum of compromise between the petitioners and respondents No.2 and 3 has not been disputed by learned State counsel. Learned counsel for respondents No.2 and 3, namely, Manjinder Singh (complainant) and Vinod Kumar (injured) also states that he has no objection in case the present FIR is 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.129 dated 23.7.2015 under Sections 323, 324, 341, 452, 148 and 149 IPC registered at Police Station

Mukerian, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise dated 29.7.2015 (Annexure P-2).

February 09, 2016

Yag Dutt

(HARI PAL VERMA)
JUDGE