

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

CRM-M-40197 of 2015.
Decided on:-09.02.2016.

Sarwan Kumar and others

.....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. Amit Dhawan, Advocate
for the petitioners.

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

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.77 dated 1.4.2013 under Sections 420, 465, 468, 471 and 120-B IPC registered at Police Station Navi Baradari, District Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise by way of affidavit dated 17.9.2015 (Annexure P-2).

This Court vide order dated November 30, 2015 had directed the parties to appear before the trial Court and the trial Court was directed to send its report qua the genuineness of the compromise along with copies of the statements.

Pursuant to the aforesaid order, the parties have appeared before

learned Judicial Magistrate 1st Class, Jalandhar and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 20.1.2016 to the effect that the compromise has been arrived at between the parties voluntarily and without any pressure or coercion from any corner.

The factum of compromise between the petitioners and respondent No.2-complainant has not been disputed by learned State counsel.

Though none has put in appearance on behalf of respondent No.2 Surjit Kumar, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 20.1.2016. The same is being reproduced as under:

“Stated that an FIR No.77 dated 01.04.2013 under section 420, 465, 468, 471 and 120-B IPC was registered at PS Navi Baradari Jalandhar on my behalf against accused Sarwan Kumar son of late Amarnath, resident of H.No.WX, 166, Basti Navi, Jalandhar, Gulshan Rai son of Satpal, r/o H.No.273, Urban Estate Phase-I Jalandhar, Deed Writer Tehsil Complex, Jalandhar and Sukhwant Singh @ Sukha son of Harbans Singh, R/o H.No.709, Basti Mithu, Jalandhar who are present in the Court today. A compromise has been effected between us and I do not want to proceed with the present case against the above said accused. I have no objection if the present case that is FIR No.77 dated 01.04.2013 under Section 420, 465, 468, 471 and 120-B IPC registered at PS Navi Baradari, Jalandhar is

quashed by the Hon'ble Punjab and Haryana High Court. I have brought my Adhar card today in the court and the self attested copy of the same is Ex.A1. I am making my statement voluntarily and without any pressure. ”

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.77 dated 1.4.2013 under Sections 420, 465, 468, 471 and 120-B IPC registered at Police Station Navi Baradari, District Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise by way of affidavit dated 17.9.2015 (Annexure P-2).

February 09, 2016

Yag Dutt

**(HARI PAL VERMA)
JUDGE**