

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

CRM-M-41913 of 2015.
Decided on:-18.03.2016.

Parvez Ahmed Matta.

.....Petitioner.

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. Deepak Arora, Advocate
for the petitioner.

Mr. R.S. Nain, AAG, Punjab.

Mr. G.S. Rawat, Advocate
for respondent No.2-complainant.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition is for quashing of FIR No.169 dated 26.10.2015 under Sections 279, 337, 338 and 427 IPC, registered at Police Station Maqsudan, Jalandhar City (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.11.2015 (Annexure P-2).

This Court vide order dated January 12, 2016 had directed the parties to appear before the Illaqa Magistrate/trial Court and the 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, 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 6.2.2016 to the effect that the compromise has been arrived at between the parties voluntarily, without any pressure, coercion or undue influence from any quarter.

Perusal of the report submitted by learned Magistrate reveals that statements of respondent No.2-complainant Sudhir Kumar Chauhan as well as respondent No.3-injured Ravi Suri have been recorded by learned Magistrate on 29.1.2016 wherein they have mentioned that the matter has been compromised between the parties out of their free will, without any pressure, coercion, undue influence and inducement etc. from any side. The statement of respondent No.2-complainant, who is author of the FIR, made before learned Magistrate is being reproduced as under:

“Stated that I have lodged an FIR No.169 dated 26.10.2015 under Sections 279/337/338/427 IPC at P.S. Maqsudan, Jalandhar against accused Parvej Ahmad Matta son of Abdul Samad Matta resident of Kamarwari, Mohalla Barbana, Sri Nagar (J&K), but now with the intervention of respectables the mater has been voluntarily compromised with accused mentioned above out of my free will, without any pressure, coercion, undue influence and inducement etc. from any side. The compromise with the accused persons is genuine. The accused have filed quashing petition No.CRM-M-41913 of 2015 before Hon'ble High Court on the basis of compromise which is fixed for 18.03.2016. Now I have no grudge against

the accused persons. So I do not want to proceed with the present case and I have no objection if the present FIR be quashed against the accused persons. None of the accused is proclaimed offender in the present case. In future a complainant will not claim anything from the accused. I have also placed on record copy of my Adhaar Card as Ex.C3 as my identity proof (original seen and returned).”

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 FIR No.169 dated 26.10.2015 under Sections 279, 337, 338 and 427 IPC, registered at Police Station Maqsudan, Jalandhar City (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise by way of affidavit dated 24.11.2015 (Annexure P-2).

March 18, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE