

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-43608 of 2015

Date of Decision: 04.05.2016

Shiva Gogna & others

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

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. Ramesh Sharma, Advocate
for the petitioners.

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

Mr. Amandeep Soni, Advocate
for respondent no.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.425 dated 15.10.2014 under Sections 324, 34 IPC (Section 323 IPC added later on) registered at P.S. Nakodar, District Jalandhar (Annexure P-1) and consequential proceedings arising therefrom, on the basis of compromise dated 22.10.2014 (Annexure P-2).

This Court vide order dated 3.3.2016 had directed the parties to appear before the trial Court to get their statements

recorded with regard to compromise and learned trial Court was directed to submit his report regarding the genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order dated 3.3.2015, the parties have appeared before learned Sub Divisional Judicial Magistrate, Nakodar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 22.3.2016 to the effect that the compromise is genuine and the same has been arrived at between the parties with their free will without any pressure or coercion

Learned counsel for respondent no.2 also admits the factum of the compromise between the parties and has no objection to the FIR being quashed.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.425 dated 15.10.2014 under Sections 324, 34 IPC (Section 323 IPC added later on) registered at P.S. Nakodar,

District Jalandhar (Annexure P-1) (Annexure P-1) and consequential proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise dated 22.10.2014 (Annexure P-2).

May 04, 2016
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(HARI PAL VERMA)
JUDGE