

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

**Criminal Misc. No. M-44246 of 2015  
Date of Decision:-22.3.2016**

Anil Sood @ Pappu 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. Piyush Khanna, Advocate  
for the petitioners.

Mr. P.S. Madahar, AAG Punjab.

**HARI PAL VERMA J.(Oral)**

Prayer in the present petition is for quashing of FIR No.120 dated 20.8.2014, under Sections 323, 279, 506, 427 and 34 IPC, registered at Police Station Hoshiarpur along with all consequential proceedings arising therefrom on the basis of compromise in the shape of affidavit of respondent No.2 dated 9.9.2015 (Annexure P-2).

Vide order dated 6.1.2016, this Court had 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 6.1.2016, the parties have appeared before the learned Magistrate on 20.1.2016 for getting their statements recorded.

The report dated 29.1.2016 received from the learned Chief Judicial Magistrate, Hoshiarpur, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Pankaj before the Chief Judicial Magistrate, Hoshiarpur, on 20.1.2016 reads as under :-

“The FIR No.120 dated 20.8.2014 under Sections 323, 279, 506 and 427 IPC read with Section 34 IPC was registered at P.S. City, Hoshiarpur on my statement against Anil Sood @ Pappu, Ashish Sood @ Sunny Sood and Rohit Sood @ Honey Sood. Now with the intervention of respectables the dispute between me and accused has been settled amicably and voluntarily vide compromise dated 9.9.2015, which is already submitted before the Hon'ble High Court, which bears my signatures. Now, there is no dispute between me and accused. I have no grudge against the accused. The compromise is effected for the welfare of the

parties. The compromise has been effected without any fear, threat, pressure or coercion and is with my own sweet will. I have no objection, if the above said FIR is quashed against all the accused. The present case was registered against the above said three persons only.”

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 as approved by Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is accepted and FIR No.120 dated 20.8.2014, under Sections 323, 279, 506, 427 and 34 IPC, registered at Police Station Hoshiarpur and the consequential proceedings arising therefrom are hereby

quashed qua petitioners.

The petition is disposed of.

March 22, 2016  
Vijay Asija

( **HARI PAL VERMA** )  
**JUDGE**