

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

**Criminal Misc. No. M-5489 of 2016
Date of Decision:-07.04.2016**

Harjit Singh

...Petitioner

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. Ramesh Sharma, Advocate
for the petitioner.

Mr. R.S. Nain, Assistant A.G., Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.178 dated 18.8.2006, under Sections 324 and 506 IPC, registered at Police Station Sidhwan Bet, Police District Jagraon, District Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

Vide order dated 15.2.2016, 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 15.2.2016, the parties have appeared before the learned Magistrate on 4.3.2016 for getting their statements recorded.

The report dated 5.3.2016 received from the learned Judicial Magistrate 1st Class, Jagraon, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Kuldeep Singh before the JMJC, Jagraon, on 4.3.2016 reads as under :-

“That the above noted case was registered on the basis of my statement. I have compromised the matter with the accused. The compromise has been effected by me without any fear or pressure. I have entered into compromise with the accused with my own free will and with the intervention of respectables. The photocopy of the compromise is Ex.C1.”

Learned State counsel does not dispute the aforesaid factual position, rather admits 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 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 allowed and FIR No.178 dated 18.8.2006, under Sections 324 and 506 IPC, registered at Police Station Sidhwan Bet, Police District Jagraon, District Ludhiana and the consequential proceedings arising therefrom are hereby quashed qua petitioner on the basis of compromise.

April 07, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE