

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

Criminal Misc. No. M-5621 of 2016

Date of Decision:-06.04.2016

Harmanpreet Bedi @ Sunny 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. S.S. Goraya, Advocate
for the petitioners.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

Mr. Amandeep Singh, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.157 dated 21.10.2015 (Annexure P-1), under Sections 379, 506, 427, 148 and 149 IPC, registered at Police Station Division Civil Line Batala, District Gurdaspur along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

Vide order dated 16.2.2016, 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 16.2.2016, the parties have appeared before the learned Magistrate on 10.3.2016 for getting their statements recorded.

The report dated 14.3.2016 received from the learned Judicial Magistrate 1st Class, Batala, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Kanwaljit Kaur before the JMJC, Batala, on 10.3.2016 reads as under :-

“Stated that the present case FIR No.157 dated 21.10.2015 under Sections 379, 506, 426 and 149 IPC registered at Police Station Civil Lines, Batala on her statement being complainant against the accused persons namely :-

1. Harmanpreet Bedi alias Sunny son of Harjinder Singh Bedi.
 2. Harjot Bedi alias Lucky son of Harjinder Singh Bedi,
 3. Sucha Singh son of Kashmir Singh,
 4. Joginder Singh son of Sulakhan Singh,
- All residents of Ward No.4, Guru Nanak Nagar, Batala, District Gurdaspur

Now, the matter has been compromised with the intervention of respectable and I do not want to

proceed against the accused persons. It is further stated that I have no grudge against the accused person and I have suffered this statement without any coercion, pressure or undue influence and with my own free will. I have no objection if the present FIR be quashed.”

Learned counsel appearing for respondent No.2 does not dispute the fact of compromise effected between the parties.

Learned State counsel also 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 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 allowed and FIR No.157 dated 21.10.2015 (Annexure P-1), under Sections 379, 506, 427, 148 and 149 IPC, registered at Police Station Division Civil Line

Batala, District Gurdaspur and the consequential proceedings arising therefrom are hereby quashed qua petitioners on the basis of compromise.

April 06, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE