IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-995 of 2016
Decided on:-21.03.2016.

Murad Ali @ Muradu 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. Gurinderjit Singh, DAG, Punjab.

Mr. Amandeep Singh, 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 F.I.R. No.53 dated 24.05.2013 under Sections 452, 363, 365, 324, 323, 148 and 149 IPC registered at Police Station Shahpur Kandi, District Gurdaspur (Annexure P-1) and the offence under Section 325 IPC added later on alongwith all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated January 13, 2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was directed to

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submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before the learned Chief Judicial Magistrate, Pathankot and got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 05.02.2016 to the effect that the compromise has been arrived at between the parties voluntarily and without any pressure or coercion from any corner.

The factum of compromise between the petitioners and respondent No.2-complainant has not been disputed by learned State counsel as well as learned counsel for respondent No.2.

The respondent No.2-complainant, Hasandeen has made the following statement before learned Chief Judicial Magistrate on 01.02.2016:-

> "*I am the complainant in this case. I have compromised the matter with the accused namely 1.Muradu S/o Rohan Deen 2. Ali Hussain alias Allu S/o Roshan Deen both R/o Village Bamibal 3. Muradu S/o Jumma R/o Village Patian Lahriall 4. Sakra S/o Noor Alam R/o Lahri Brahmna 5. Bika S/o Bashir R/o Lahri Brahmna Teh & Distt Pathankot in case bearing FIR No.53 Dt.24.05.2013, under Sections 452, 363, 365, 323, 324, 325, 148, 149IPC P.S.Shahpur Kandi with the intervention of respectables. The matter has been mutually compromised and the original compromise has been placed on main writ petition CRM-M No.995/2016 before, Hon'ble Punjab And Haryana High Court Chandigarh which is pending for 21.03.2016. I*

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have decided to end this litigation and live peacfully. I have no grudge against the accused. I am giving the statement voluntarily and with my free will and without any coercion. I have no objection if the proceedings of this FIR may be quashed."

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 F.I.R. No.53 dated 24.05.2013 under Sections 452, 363, 365, 324, 323, 148 and 149 IPC registered at Police Station Shahpur Kandi, District Gurdaspur (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioners on the basis of compromise.

(HARI PAL VERMA)
JUDGE

March 21, 2016
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