

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

**Criminal Misc. No. M-11841 of 2014 (O&M)
Date of Decision: 30.09.2015**

Partap Singh & 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. Karanjit Singh, Advocate
for the petitioner (s).

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Manjeet Kaur, 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.124 dated 2.6.2011 under Sections 307, 148, 149 IPC registered at Police Station Patti, District Tarn Taran (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise, Annexure P-2, which is undated.

Learned counsel for the petitioner while relying upon the judgment of Hon'ble the Supreme Court in the case of **Narinder Singh and other v. State of Punjab and another** (2014) 6 SCC 466

contends that the FIR under Section 307 IPC can be quashed when a compromise/ settlement has been effected between the parties.

Learned counsel for respondent no.2 does not dispute the factum of compromise Annexure P-2 and has no objection to the FIR being quashed *qua* the petitioners.

Learned State counsel, on instructions from ASI Jagroop Singh submits that initially, there were five accused, however, challan has been presented against the present petitioners and the other accused namely Raman Kumar was found innocent.

This Court vide order dated 24.4.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to the compromise (Annexure P2) and the Illaqa Magistrate/trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 24.4.2015, the parties have appeared before learned Additional Sessions Judge, Tarn Taran and have got their statements recorded. Learned Additional Sessions Judge has forwarded his report dated 7.9.2015 whereby the parties have got their statements recorded with regard to the compromise in question. The statement of the complainant-Kirpal Singh reads as under:-

"I have voluntarily compromised the matter arising out of FIR No.124/2.6.2011 U/s 307/148/149 IPC, P.S. Patti, with Partap Singh S/o Kali Singh, Sandeep Kumar S/o Sham Lal, Rinku @ Gurdev Singh S/o Sukhdev Singh and Neelam Kumar S/o Satpal, all residents of

Ward No.4, Patti, Tehsil Patti, District Tarn Taran, through the intervention of respectables without any pressure and consideration and in order to achieve peace and harmony amongst us.

RO&AC
(Sd/-)

Sd/-
(Amrinder Singh),
Additional Sessions Judge,
Tarn Taran, 7.9.2015”

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 Hon'ble the Apex Court in **Narinder Singh and other v. State of Punjab and another** (*supra*) and 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.124 dated 2.6.2011 under Sections 307, 148, 149 IPC registered at Police Station Patti, District Tarn Taran (Annexure P-1) and subsequent proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise Annexure P-2.

September 30, 2015
AK

(**HARI PAL VERMA**)
JUDGE