

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

CRM-M No.13289 of 2015

Date of decision: 22nd September, 2015

Gagandeep Singh @ Gaggi

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for respondent No.1.

None for respondents No.2 & 3.

FATEH DEEP SINGH, J.

Report dated 12.08.2015 of learned Principal Magistrate, Juvenile Justice Board, Sangrur has been received whereby after recording statements of complainant Mahant Ram Dass and injured Sant Sham Sunder Dass @ Ram Sunder Dass and the juvenile accused namely Gagandeep Singh @ Gaggi, the Magistrate has shown its satisfaction that the compromise has been arrived at voluntarily, out of free will of the parties, without any undue influence, coercion or pressure.

Heard.

The lone injury which is opined to be dangerous to life admittedly is on the non-vital part of the body and even otherwise applicability of Section 307 IPC is a debatable issue besides the fact that the accused and the injured/complainant are residents of the same village. Reliance has been sought to be placed on '**Yogendra Yadav and others v. State of Jharkhand and another**' 2014(9) SCC 653.

In view of the aforesaid and in the light of the satisfaction shown by the learned Magistrate, the fact that parties belong to the same very village, together with the fact that compromise will go a long way in ironing out differences for betterment of future life of the parties and in view of the law laid down in '**Gian Singh v. State of Punjab and another**' 2012(4) RCR (Criminal) 543 and '**Kulwinder Singh and others v. State of Punjab and another**' 2007 (3) RCR (Criminal) 1052, the prayer made in the petition is allowed, proceedings by way of FIR No.100 dated 27.09.2014 registered at Police Station Cheema, District Sangrur under Sections 307/309/506/120B IPC and Section 25/54/59A of the Arms Act and all consequences arising out of the said FIR against the present petitioner are quashed.

The petition stands allowed in those terms.

(FATEH DEEP SINGH)
JUDGE

September 22, 2015
rps