

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-14504 of 2014

Date of Decision:20.2.2015

Bikram Singh and others

---Petitioners

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. S.K.Bawa, Advocate
for the petitioners
Mr. Ankur Jain, AAG, Punjab
for the respondent-State
Mr.J.S.Dadwal, Advocate
for respondent No. 2

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The petitioners have prayed for quashing of FIR No. 80 dated 26.7.2012 for offence punishable under Sections 323, 324, 326, 148, 149 of the Indian Penal Code (in short "IPC") registered at Police Station, Garhshankar, District Hoshiarpur on the basis of compromise (Annexure P-2).

The parties were directed to appear before the trial court/Illaq Magistrate on 8.1.2015 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Sub Divisional Judicial

Magistrate, Garhshankar wherein it has been reported that statements of the petitioners and respondent No.2(complainant) have been recorded and statements made by the parties in the Court reveal that they have voluntarily entered into a compromise.

Counsel for the petitioners has submitted that Bahinder Singh alias Varinder Singh respondent No. 2-complainant is the only person who sustained injuries in the occurrence. The injury constituting offence under Section 326 IPC is on left leg of the victim.

Counsel for respondent No. 2 has conceded to the fact that the parties have settled their dispute way of compromise and respondent No. 2 (complainant) has got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

Mr. Ankur Jain, AAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioners and respondent No.2 (complainant) that the matter has been settled by way of compromise between the parties.

I have heard counsel for the parties and perused the case file.

There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon'ble the Supreme Court of India in ***Gian Singh v. State of Punjab and another, 2012(4) R.C.R. (Criminal) 543.***

In view of what has been discussed hereinabove, the petition is

allowed and FIR No. 80 dated 26.7.2012 for offence punishable under Sections 323, 324, 326, 148, 149 IPC registered at Police Station, Garhshankar, District Hoshiarpur and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

20.2.2015
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