

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

CRM-M-16940 of 2015
Date of decision: 08.10.2015

Ranjit Singh and others

-----Petitioner (s)

V/s

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. Jagjit Singh, Advocate for the petitioner(s).

Mr. P.S. Madahar, AAG, Punjab.

Mr. N.S. Dadwal, Advocate for respondent No.2.

HARI PAL VERMA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 139, dated 24.10.2014, under Sections 323/324/148/149 IPC registered at Police Station Sadar, District Kapurthala (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise by way of affidavit dated 12.05.2015 (Annexure P-2).

This Court vide order dated 25.05.2015 had directed the parties to appear before the Judicial Magistrate Ist Class, Kapurthala on 29.05.2015 to get their statements recorded with regard to the compromise dated 12.05.2015 (Annexure P-2) and the learned Magistrate was directed to submit its report with regard to genuineness of the compromise vis-a-vis

number of accused persons involved in this case and whether any of the accused has been declared proclaimed offender or not.

Pursuant to the aforesaid order dated 25.05.2015, the parties have appeared before Addl. Chief Judicial Magistrate, Kapurthala and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 02.06.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure, threat or coercion and the same is genuine.

The statement of the complainant-respondent no.2, namely, Tarsem Singh son of Puran Singh, reads as under:-

“Stated that, I have compromised the matter with Ranjit Singh, Jagir Kaur, Daljit Singh, Jagdish Kaur and Jagdev Singh @ Jagga voluntarily without any pressure or coercion with the interventions of the respectables of the locality and to keep harmony amongst ourselves. We have already executed written compromise Ex.C1 and I shall remain bound by the terms thereon”

Sd/-

*RO & AC
Sd/- Tarsem Singh*

*(Balwinder Kumar)
ACJM/Kapurthala”*

Apart from the statement of the complainant, whereby he has shown no objection to the FIR being quashed, 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 the 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. 139, dated 24.10.2014, under Sections 323/324/148/149 IPC registered at Police Station Sadar, District Kapurthala(Annexure P-1) and all other subsequent proceedings arising therefrom are quashed, qua the petitioners, in view of basis of compromise of compromise by way of affidavit dated 12.05.2015 (Annexure P-2).

October 08, 2015
Anjal

(HARI PAL VERMA)
JUDGE