

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-21202 of 2015

Date of decision: 18.08.2015

Onkar Singh and others

----Petitioner(s)

V/s

State of Punjab and others

-----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. Malkeet Singh, Advocate for the petitioners.

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

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**HARI PAL VERMA, J. (Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 129, dated 29.06.2006 (Annexure P-1) for offence under Sections 323, 324, 325, 307, 452, 148 and 149 of IPC and 25/27/59 of the Arms Act, registered at Police Station, Phillaur, District Jalandhar, and all the subsequent proceedings arising therefrom on the basis of compromise dated 06.06.2015(Annexure P-3).

On the last date of hearing, learned counsel for the petitioners has submitted that though the FIR was registered under the aforesaid Sections but the petitioners have been charge-sheeted only for the offences under Sections 323, 324 and 336 IPC read with Section 34 IPC, vide charge-sheet dated 09.12.2008 (Annexure P-2). He further

submitted that quashing is sought on the basis of compromise dated 06.06.2015 (Annexure P-3).

This Court vide order dated 03.07.2015, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was further directed to submit its report about the genuineness of the compromise, as per the statements of the parties so recorded.

Accordingly, the parties have appeared before learned Judicial Magistrate Ist Class, Phillaur, and got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate Ist Class, Phillaur, has submitted his report dated 10.08.2015, to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

Learned State counsel does not dispute the factum of compromise.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR *qua* the petitioners.

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) and approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)10 SCC 303, as well as the judgment of Apex Court in **Narinder Singh and others vs. State of Punjab and another**, (2014) 6 SCC 466, this petition is allowed and FIR No. 129, dated 29.06.2006 (Annexure P-1) for offence under Sections 323, 324, 325,

307, 452, 148 and 149 of IPC and 25/27/59 of the Arms Act, registered at Police Station, Phillaur, District Jalandhar, and all the subsequent proceedings arising therefrom on the basis of compromise dated 06.06.2015(Annexure P-3), are hereby quashed.

**August 18, 2015**

Anjal

**( HARI PAL VERMA )  
JUDGE**