

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-24992 of 2014
Date of Decision: 20.02.2015

Onkar Singh and others

---Petitioners

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Amit Verma, Advocate
for the petitioners

Mr. Ankur Jain, AAG, Punjab
for the respondent-State

None 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. 55 dated 25.5.2014 for offence punishable under Sections 326, 324, 341, 323, 506, 148, 149 of the Indian Penal Code (in short “IPC”) registered at Police Station, Mahilpur, District Hoshiarpur on the basis of compromise.

The parties were directed to appear before the trial court/Illaq Magistrate on 23.12.2014 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, 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 with an intention to live in peace and harmony.

Counsel for the petitioners has submitted that all the injuries sustained by the victim-complainant were found to be simple in nature constituting offence under Sections 324, 323 IPC. Further argues that the complainant is the only person who sustained injuries in the occurrence.

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 the fact 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. 55 dated 25.5.2014 for offence punishable under Sections 326, 324, 341, 323, 506, 148, 149 IPC registered at Police Station, Mahilpur, District Hoshiarpur and proceedings emanating therefrom are

ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

20.02.2015
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