

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-25083 of 2014

Date of Decision: 04.02.2015

Gurbinder Singh and others

---Petitioners

versus

State of Punjab and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Nakul Sharma, Advocate
for the petitioners

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

Ms. Anju Bansal, Advocate
for respondents No.2 to 5

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. 104 dated 6.8.2007, registered at Police Station, Mamdot, District Ferozepur for offence punishable under Sections 323,324,148, 149 of the Indian Penal Code (in short "IPC") (Section 326 IPC added later) on the basis of compromise.

The parties were directed to appear before the trial court on 13.10.2014 to get their statements recorded with regard to genuineness of

compromise.

A report has been submitted by the Chief Judicial Magistrate , Ferozepur wherein it has been reported that statements of the petitioners and respondents No. 2 & 3(Legal representatives of complainant Amrik Singh (since deceased), 4 and 5 (injured) 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 respondents No. 2 to 5 has conceded to the fact that the parties have settled their dispute way of compromise and respondents have 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 respondents No.2 to 5 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. 104 dated 6.8.2007, registered at Police Station,

Mamdot, District Ferozepur for offence punishable under Sections 323, 324, 148, 149 IPC (Section 326 IPC added later) and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

04.02.2015

PARAMJIT