

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

**Criminal Misc. No. M-29250 of 2015
Date of Decision: 23.09.2015**

Pritam Singh @ Lovepreet Singh & others

...Petitioner(s)

Versus

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. K.S. Bal, Advocate
for the petitioner (s).

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

Ms. Satinder Kaur, Advocate for
Mr. Sandeep Berwal, Advocate
for respondent no.2.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.75 dated 10.7.2015 under Sections 452/323/324/326/506/34 IPC registered at Police Station Mehta, District Amritsar Rural and the subsequent proceedings arising therefrom on the basis of compromise dated 19.8.2015 Annexure P-2.

This Court vide order dated 31.8.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to the compromise dated 19.8.2015 Annexure P-2 and the Illaqa Magistrate/trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 31.8.2015, the parties have appeared before the Judicial Magistrate Ist Class, Baba Bakala Sahib and have got their statements recorded. On the basis of statements so recorded, learned Magistrate has forwarded his report dated 15.9.2015 to the effect that the compromise arrived at between the parties is without any undue influence or pressure. The statement of the complainant-respondent no.2 Balkar Singh reads as under:-

“Stated that present case had been registered on my statement. An FIR No.75 dated 10-07-15 U/s 452/323//324/326/506/34 IPC was got registered in P.S. Mehta against the accused persons namely Pritam Singh @ Lovepreet Singh S/o Ranjit Singh, Manjinder Singh S/o Ranjit Singh, Ranjit Singh S/o Pyara Singh, All residents of Village Saidoke, P.S. Mehta, Tehsil Baba Bakala Sahib, Distt. Amritsar. With the intervention of the respectables, I have compromised the matter with the above said accused persons with my own free will and without any pressure and coercion. I have no objection, if the FIR No.75 dated 10-0715 U/s 452/323/324/326/506/334 IPC registered at P.S. Mehta against the above said accused persons be quashed. I have given

my statement in the Court out of my free will and without any threat and pressure. As I do not want to take any further action on the above said FIR and against the accused persons mentioned above. No other case (Civil or Criminal) is pending between us. Photo Copy of my aadhaar card is attached and is Mark-A.

RO & AC
Sd/- (Balkar Singh)

Sd/-
(Manmohan Bhatti)
J.M.I.C. B.B. Sahib,
09.09.2015”

Learned counsel for the petitioner contends that since the complainant has now suffered a statement that he has compromised the matter and he has no objection if the present FIR is quashed, the present petition deserves to be accepted.

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.75 dated 10.7.2015 under Sections 452/323/324/326/506/34 IPC registered at Police Station Mehta,

District Amritsar Rural and all the subsequent proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise dated 19.8.2015 (Annexure P-2).

September 23, 2015
AK

(HARI PAL VERMA)
JUDGE