

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

**Criminal Misc. No. M-29317 of 2015
Date of Decision: 23.09.2015**

Amrinder Singh & others

...Petitioner(s)

Versus

State of Punjab & 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. Nimanyu Gautam, Advocate
for the petitioner (s).

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

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.119 dated 31.7.2015 under Sections 323/452/336/148/149 IPC and Sections 25/27 of the Arms Act, 1959 registered at Police Station Makhu, Ferozepur and all the subsequent proceedings arising therefrom on the basis of compromise/affidavits dated 11.8.2015 Annexure P-1 (colly) sworn in by the complainants.

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/affidavits dated 11.8.2015 Annexure P1 (colly) 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, Zira, Ferozepur and have got their statements recorded. On the basis of statements so recorded, learned Magistrate has forwarded his report dated 11.9.2015 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The statement of the complainant-respondent no.2 Bakshish Singh reads as under:-

“Stated that on 31.07.2015 an FIR against Amrinder Singh etc. was lodged on my statement. Now with the intervention of the respectables of the area a compromise has been effected between me and accused. I have no objection if the present FIR may be quashed. The compromise is genuine, voluntary and without any coercion or undue influence.

RO & AC
LTI (Bakshish Singh)

Sd/-
Manu Mittu, PCS
Civil Judge (Jr. Divn.),
Judicial Magistrate Ist Class
Zira (Fzr.)

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.

Learned State counsel, on instructions from ASI Vikram Singh does not dispute the factum of compromise between the parties.

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.119 dated 31.7.2015 under Sections 323/452/336/148/149 IPC and 25/27 of the Arms Act, 1959 registered at Police Station Makhu, Ferozepur and all the subsequent proceedings arising therefrom are quashed, *qua* the petitioners, in view of compromise/affidavits dated 11.8.2015 Annexure P-1 (colly).

September 23, 2015
AK

(HARI PAL VERMA)
JUDGE