

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-32819 of 2013

Date of Decision: 24.02.2015

Prabhjot Singh and another

---Petitioners

versus

State of Punjab and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Vipin Mahajan, Advocate
for the petitioners

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

Mr. Vishal Munjal, Advocate
for respondent Nos. 2 and 3

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. 45 dated 4.9.2013 for offence under Sections 307, 506, 148, 149 of the Indian Penal Code (in short "IPC") and Section 25 of the Arms Act registered at Police Station, Qadian, Police District Batala, District Gurdaspur on the basis of compromise.

The parties with their respective fathers were directed to appear before the Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Batala wherein it has been reported that statements of the petitioners, respondents No.2(complainant) and 3 as well as their fathers 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 states that compromise has been effected between the parties during pendency of investigation, therefore, challan has not been presented in the Court. It is argued that the instant case is a case of no injury.

Counsel for the State of Punjab and respondents No. 2 and 3 have conceded to these assertions and also conceded to the fact that the parties have settled their dispute by way of compromise and respondent Nos. 2 (complainant) and 3 have got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

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. 45 dated 4.9.2013 for offence under Sections 307,

506, 148, 149 IPC and Section 25 of the Arms Act registered at Police Station, Qadian, Police District Batala, District Gurdaspur and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

24.02.2015

PARAMJIT