

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

CRM-M-30774 of 2015

Date of decision: 09.10.2015

Sanjeev Verma and another

-----Petitioner (s)

V/s

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. Robert Kanwar, Advocate for the petitioner(s).

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

HARI PAL VERMA, J.

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 40, dated 28.04.2015 for offence punishable under Sections 448, 427 and 511 IPC, registered at Police Station City, Batala, Distt. Gurdaspur, Punjab, on the basis of compromise dated 01.06.2015 (Annexures P-1 & P-2).

This Court vide order dated 10.09.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to the compromise dated 01.06.2015 (Annexures P-1 & P-2) and the Illaqa Magistrate/trial Court was directed to submit its report with regard to genuineness of the compromise.

Pursuant to the aforesaid order dated 10.09.2015, the parties appeared before Sub Divisional Judicial Magistrate, Batala and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 25.09.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure, threat or coercion and the same is genuine.

The statement of the complainant-respondent no.2, namely, Rajinder Pal Singh son of Surjit Singh, reads as under:-

“I have entered into compromise with Sanjeev Verma, Rohit Verma, accused persons (petitioners). The compromise has been entered into by me, out of my own free will and consent, voluntarily without any pressure, with the intervention of respectable persons. Now I have no grudge against the accused persons (petitioners). I have no objection, if the present FIR No.40, dated 28.04.2015, Under Section-448, 427, 511 IPC, Police Station-City Batala and subsequent proceedings are quashed against above mentioned accused persons(Petitioners).

Sd/-

*RO & AC
Sd/- Rajinder Pal Singh*

*(Raj Pal)
SDJM/22.09.2015”*

Learned counsel for the State does not dispute the factum of compromise entered between the parties.

Apart from the statement of the complainant, whereby he has shown no objection to the FIR being quashed, 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. 40, dated 28.04.2015 for offence punishable under Sections 448, 427 and 511 IPC, registered at Police Station City, Batala, Distt. Gurdaspur, Punjab is quashed, qua the petitioners, in view of the compromise dated 01.06.2015 (Annexures P-1 & P-2).

October 09, 2015
Anjal

(HARI PAL VERMA)
JUDGE