

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

CRM-M-31360 of 2015

Date of decision: 09.10.2015

Ramandeep Singh & others

-----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. Ashok Kumar Khunger, Advocate for the petitioner(s).

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

Mr. Sandeep Oberoy, Advocate for
Mr. Harpal Singh, Advocate for respondent No.2.

HARI PAL VERMA, J.

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No.2 dated 11.1.2015 under Sections 336/506/34 IPC and Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Lakhewali, District Sri Muktsar Sahib (Annexure P-1) and other consequential proceedings arising therefrom on the basis of compromise/affidavit dated 9.9.2015 (Annexure P-2).

This Court vide order dated 15.09.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court on 23.09.2015 to get their statements recorded with regard to the compromise 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 15.09.2015, the parties appeared before Addl. Civil Judge (Senior Division)-cum-SDJM, Malout and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 05.10.2015 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 complainant-respondent no.2, namely, Shaminder Singh son of Malkit Singh, reads as under:-

“It is submitted that present FIR has been registered on the basis of my statement against accused Ramandeep Singh son of Jagsir Singh, Mandip Singh s/o Jagsir Singh, Jaskaran Singh s/o Joginder Singh all r/o Bhangchari Tehsil and Distt. Sri Muktsar Sahib today present in the court. Now, with the intervention of the respectable, I have arrived into compromise with accused. The matter have been amicably decided between us. I do not want to proceed against the accused. The compromise voluntarily, without any pressure, coercion and with my free will. I have left no grudge against accused. I have no objection if the present FIR is quashed and accused are acquitted.

Sd/-

*RO & AC
Sd/- Shaminder Singh*

*(Bagicha Singh)
Sub Divisional Judicial Magistrate
Malout, 23.09.2015”*

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.2 dated 11.1.2015 under Sections 336/506/34 IPC and Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Lakhewali, District Sri Muktsar Sahib (Annexure P-1) and other consequential proceedings arising therefrom are quashed, qua the petitioners, in view of the compromise/affidavit dated 9.9.2015 (Annexure P-2).

October 09, 2015
Anjal

(HARI PAL VERMA)
JUDGE