

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

CRM-M- 32625 of 2015
Date of decision: 24.12.2015

Lakhbir Singh 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. Vijay Lath, Advocate for the petitioner(s).

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Surinder Sharma, Advocate for respondent No.2.

HARI PAL VERMA, J.

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of case FIR No. 170, dated 02.09.2015(Annexure P-1), under Sections 465, 467, 468, 471 and 120-B IPC, registered at Police Station, City Rupnagar, Distt. Rupnagar, Punjab all other subsequent proceedings arising therefrom, on the basis of compromise dated 12.09.2015 (Annexure P-2).

This Court vide order dated 17.11.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to the compromise dated 12.09.2015 (Annexure P-2) and the Illaqa Magistrate/trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 17.11.2015, the parties have appeared before learned Chief Judicial Magistrate Rupnagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 11.12.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same is genuine.

The statement of the complainant-respondent No.2, namely, Jasbir Singh, aged about 57 years son of Sohan Singh, reads as under:-

“Stated that I got registered the present case FIR no.170 dated 02.09.2015 under Sections 465, 467, 468, 471, 120-B IPC PS City Rupnagar against the accused namely Lakhbir Singh S/o Sohan Singh and Rajinder Kaur W/o Lakhbir Singh both R/o house no.358, Dashmesh Nagar, Ropar, Distt. Rupnagar. Now I have compromised the matter with both the above said accused voluntarily by my free will without any pressure and coercion. The compromise dated 12.9.2015 which is already annexed as anneuxre P2 with the quashing petition which was entered by me by free will. We have also entered into partition agreement dated 17.9.2015 Ex. C1, with regard to the property, site plan of same is Ex.C2. I got registered the present case FIR only against these two persons. If the above said case FIR be quashed then I will have no objection to the same.

RO & AC
Sd/- Jasbir Singh

Sd/-
(Jasbir Kaur)
CJM/Rupnagar
4.12.2015”

Apart from the statement of the complainant-respondent No.2,

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.

Learned counsel for the State has admitted the factum of compromise entered between the parties.

Learned counsel for the complainant-respondent No.2 also admits the factum of compromise.

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. 170, dated 02.09.2015(Annexure P-1), under Sections 465, 467, 468, 471 and 120-B IPC, registered at Police Station, City Rupnagar, Distt. Rupnagar, Punjab and all other subsequent proceedings arising therefrom are quashed, qua the petitioners, in view of compromise dated 12.09.2015 (Annexure P-2).

24.12.2015
Anjal/Yag Dutt

(HARI PAL VERMA)
JUDGE