

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-39436 of 2014(O&M)

Date of Decision: 27.01.2015

Arjan Sharma and others

---Petitioners

versus

State of Punjab and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Ritesh Pandey, Advocate
for the petitioners
Mr. Sandeep Kumar Bansal, AAG, Punjab
for the respondent-State
None for respondents No. 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. 105 dated 22.10.2014 for offence punishable under Sections 324, 323 read with Section 34 of the Indian Penal Code (in short "IPC"), registered at Police Station, Sadar Gurdaspur on the basis of compromise.

The parties were directed to appear before the Illaqa Magistrate on 28.11.2014 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Additional Chief Judicial Magistrate, Gurdaspur wherein it has been reported that statements of the petitioners and respondent Nos.2(complainant) and 3 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 has submitted that none of the injuries sustained in the occurrence is on vital part of the body.

Mr. S.K.Bansal, AAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioners and respondents No.2 (complainant) and 3 that the matter has been settled by way of compromise between the parties.

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. 105 dated 22.10.2014 for offence punishable under Sections 324, 323 read with Section 34 IPC, registered at Police Station, Sadar Gurdaspur, and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

27.01.2015

PARAMJIT