

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42583 of 2013

Date of decision: 27.05.2015

Narinder Singh and 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. Gurpreet Singh, Advocate for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Anandeshwar Gautam, Advocate for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition, filed under Section 482 Cr.P.C. is for quashing of the FIR No.119, dated 31.10.2012, for offence under Sections 324, 323, 326, 148 and 149 IPC, registered at Police Station, Garhshankar, District-Hoshiarpur (Annexure P-1) and further proceedings arising therefrom, on the basis of compromise dated 11.12.2013 (Annexure P-2).

On 13.12.2013, this Court has passed the following order:-

"Notice of motion for 07.3.2014.

In the meantime, parties are directed to get their statements recorded before the trial court and the trial court is directed to send the report with regard

to the validity or otherwise of the compromise, after recording the statements of all the concerned parties before the next date of hearing.”

Pursuant to the order dated 13.12.2013, the parties have appeared before learned Sub Divisional Judicial Magistrate, Garhshankar on 03.03.2014 and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Sub Divisional Judicial Magistrate, Garhshankar, has submitted his report dated 03.03.2014 to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

However, report further reveals that petitioner No.3, namely, Makhan Singh is not appeared before the said Court to get his statement recorded but the complainant has also effected the compromise with Makhan Singh.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR *qua* the petitioners.

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)** and 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.119, dated 31.10.2012, for offence under Sections 324, 323, 326, 148 and 149 IPC, registered at Police Station, Garhshankar, District-Hoshiarpur (Annexure P-1), and all the

subsequent proceedings arising therefrom *qua* the petitioners,
are hereby quashed, on the basis of compromise.

May 27, 2015
Anjal

(HARI PAL VERMA)
JUDGE