

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-40104 of 2014

Date of Decision: 06.01.2015

Ramandeep Singh and others

---Petitioners

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr.S.S.Majithia, Advocate
for the petitioners**

**Mr. Sandeep Kumar Bansal, AAG, Punjab
for the respondent-State**

**Mr. Munish Raj, Advocate
for respondent No.2**

- 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. 239 dated 1.9.2014 for offence under Sections 323, 324, 148, 149 of the Indian Penal Code (in short "IPC") registered at Police Station, City Barnala, District Barnala on the basis of compromise.

The parties were directed to appear before the trial court on 15.12.2014 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Chief Judicial Magistrate,

Barnala wherein it has been reported that statements of the petitioners and respondent No.2(complainant) 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 dispute between the parties has been settled during course of investigation and therefore, challan has not been presented in the Court. In view of compromise between the parties, there is no possibility of the complainant-injured to support cause of the prosecution.

Counsel for respondent No. 2 has conceded to the fact that the parties have settled their dispute way of compromise and respondent No. 2 (complainant) has got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

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 respondent No.2 (complainant) 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. 239 dated 1.9.2014 for offence under Sections 323, 324, 148, 149 IPC, registered at Police Station, City Barnala, District Barnala and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

06.01.2015

PARAMJIT