

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

**CRM-M-10602 of 2016**  
**Date of decision: 25.05.2016**

**Rajpal @ Raja and another**

**----Petitioner (s)**

V/s

**State of Punjab and others**

**-----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. Vikas Gupta, Advocate for the petitioners.

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

Mr.Ashish Aggarwal, Advocate for respondents  
No.2 and 3.

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition is for quashing of FIR No.80 dated 27.09.2008 under Section 365 IPC, registered at Police Station Goindwal Sahib Distt. Tarn Taran(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 03.12.2008 (Annexure P-2).

This Court vide order dated 29.03.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuiness of the compromise.

Pursuant to the aforesaid order dated 29.03.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Tarn Taran and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 16.04.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Statement made by complainant-respondent No.2, namely Pal Singh son of Jivan Singh, before the Magistrate on 11.04.2016, reads as under:-

*“Stated that one FIR bearing no.80 dated 27.09.2008 under Section 365 IPC, pertaining to Police Station Goindwal Sahib, Tarn Taran, was registered against accused Rajpal Singh @ Raja son of Sukhbir Singh, resident of village Burj, P.O. Rajatal, Tehsil & Distt. Tarn Taran, Jaspal Singh @ Raju Sethi, son of Tarlochan Singh, r/o village Fatehbad, Tehsil Khadoor Sahib, Distt. Tarn Taran, by me. Now, I have compromised with all the above said accused, with the intervention of the respectable from the locality. I have also resolved all the disputes with the accused persons without any coercion, threat or undue pressure upon me. I have compromised the matter with the accused persons I have no objection if the FIR bearing no.80 dated 27.9.2008 U/s 365 IPC pertaining to Police Station Goindwal Sahib, Tarn Taran be quashed against the accused persons. I have brought my identity card and whose attested copy is attached herewith.*

Apart from the above statement made by complainant/respondent No.2, respondent No.3, namely, Bikramjit Singh @ Vicky has also made similar statement 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.

At this stage, Mr. Ashish Aggarwal, Advocate has put in appearance on behalf of respondents No.2 and 3 and filed of Memo of Appearance in Court which is taken on record. He does not dispute the factum of compromise entered into between the parties.

Learned counsel for the State has also not disputed the factum of compromise arrived at between the parties, however, on instructions from Head Constable-Swaran Singh, submits that in the case in hand, police has already submitted a cancellation report and the same is pending before the learned Magistrate.

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.80 dated 27.09.2008 under Section 365 IPC, registered at Police Station Goindwal Sahib Distt. Tarn Taran(Annexure P-1) and all the consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 03.12.2008 (Annexure P-2).

**25.05.2016**  
**Anjal**

**[HARI PAL VERMA]**  
**JUDGE**