

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

CRM-M-11348 of 2016
Date of decision: 02.06.2016

Sukhdev Singh @ Bau 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.Sandeep Arora, Advocate for the petitioners.

Mr.R.S. Nain, AAG, Punjab.

Mr.G.S. Rawat, Advocate for respondents No. 2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No.21 dated 20.02.2012 under Sections 326, 324, 323 and 34 IPC Police Station Division No.6, Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 12.01.2016 (Annexure P-2).

This Court vide order dated 01.04.2016 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 genuineness of the compromise.

Pursuant to the aforesaid order dated 01.04.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Jalandhar and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 06.05.2016 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, Deepak son of Sh. Om Parkash, before the Magistrate on 29.04.2016, reads as under:-

“Stated that I have compromised the matter with the accused Kashmir Singh and Sukhdev Singh. Accused Sukhwinder Singh @ Buga S/o Manjit Singh R/o Village Kot Badal Khan, PS Noor Mehal, Jalandhar is proclaimed offender in the present case. I have already quashing in the present FIR bearing No.21, dated 20.02.2012, u/s 326/324/323/34 of IPC registered at PS Div No.6, Jalandhar, filed before Hon'ble Punjab and Haryana High Court. The compromise is without any pressure, threat or undue influence and in the result of my free Will. I have no objection if the above stated FIR is quashed by Hon'ble Punjab & Haryana High Court. I have brought the original Aadhar Card, copy of the same is Mark-C1.”

Apart from the above statement made by complainant/respondent No.2, respondent No.3 has also suffered a similar statement before the learned Magistrate, 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.

Mr.G.S. Rawat, Advocate has put in appearance on behalf of respondents No. 2 and 3 and filed Power of Attorneys on their behalf in

Court today which are taken on record. He admits 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.

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.21 dated 20.02.2012 under Sections 326, 324, 323 and 34 IPC Police Station Division No.6, Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 12.01.2016 (Annexure P-2).

02.06.2016

Anjal

**[HARI PAL VERMA]
JUDGE**