

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

CRM-M-11351 of 2016
Date of decision: 02.06.2016

Jagtar Singh Chahal @ Jagga and others
V/s

-----Petitioner (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.Kawaljyot Singh, Advocate for the petitioners.

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

Mr.Vinay Begra, 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.30 dated 24.03.2016(Annexure P-1) under Sections 324, 323, 148, 149, 452, 427 IPC, registered at Police Station Bhogpur, District Jalandhar Rural (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 28.03.2016 (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 her report dated 25.04.2016 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, Sarabjit Singh son of Manjit Singh before the Magistrate on 22.04.2016, reads as under:-

“Stated that a case vide FIR No.30 dated 24.03.2016 u/s 323/324/452/427/148/149 IPC was registered at PS Bhogpur on the basis of my statement against Jagtar Singh Chahal @ Jagga son of Ajit Singh, Soni @ Gupreet Singh son of Kala Singh, Amni @ Amanpreet Singh son of Kala Singh, Amandeep @ Amandeep Singh son of Balwinder Singh, Baggu @ Jaspreet Singh son of Bhajan Singh @ Harbhajan Singh all resident of village Sanghwal PS Kishangarh, District Jalandhar. Now the matter has been compromised with all the accused mentioned in the FIR with my own free will and consent and without any undue pressure from any quarter. Compromise dated 28.03.2016 Ex.C1 is genuine voluntarily and without any coercion or undue influence. None of the accused mentioned in this case has been declared as proclaimed offender. I have no objection if the above said FIR be quashed. I have brought the copy of my adhar card(original seen and returned) which is ExC2.”

Apart from the above statement made by complainant/respondent No.2, respondent No.3/injured 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.Vinay Begra, Advocate has put in appearance on behalf of respondents No. 2 and 3 and filed Power of Attorney on their behalf in Court today which is 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.30 dated 24.03.2016(Annexure P-1) under Sections 324, 323, 148, 149, 452, 427 IPC, registered at Police Station Bhogpur, District Jalandhar Rural (Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 28.03.2016 (Annexure P-2).

02.06.2016
Anjal

[HARI PAL VERMA]
JUDGE