

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

CRM-M-16741 of 2014.
Decided on:-07.01.2016.

Jaswinder Singh @ Shinda and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

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. Deepak Nayar, Advocate
for the petitioners.

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

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.140 dated 28.8.2011 under Sections 324, 326, 452, 148 and 149 IPC as well as Section 25 and 27 of the Arms Act, 1959 registered at Police Station Sultanwind, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 5.3.2013 (Annexure P-2).

This Court vide order dated September 30, 2014 had directed the parties to appear before the Jurisdictional Magistrate, Amritsar to get

their statements recorded and learned Magistrate was directed to submit his report with regard to genuineness and correctness of the compromise allegedly entered into between the parties.

Pursuant to the aforesaid order, petitioner No.1 Jaswinder Singh @ Shinda and respondent No.2-complainant Kewal Singh have appeared before learned Judicial Magistrate 1st Class, Amritsar and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 7.11.2014 to the effect that the parties have made an amicable settlement and have recorded their statements in the Court without any fear or pressure.

The factum of compromise between petitioner No.1 and respondent No.2 has not been disputed by learned State counsel.

At this stage, learned counsel for the petitioners wishes to withdraw the present petition qua petitioners No.2 and 3, namely, Navpreet Singh and Gurbawandeep Singh.

Ordered accordingly.

Though none has put in appearance on behalf of respondent No.2 Kewal Singh, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 3.11.2014. The same is being reproduced as under:

“I have compromised the matter of FIR No.140/11 registered at Police Station Sultanwind under Sections 452/326/324/148/149 IPC, 25/27/54/59 A. Act with the accused

Jaswinder Singh son of Mahnga Singh due to intervention of the respectable from both the parties and I do not want to pursue this case. I have no objection if the above said criminal case will be cancelled/quashed by the Hon'ble High Court. I have already made the written compromise dated 5.3.2013 with accused. I have entered into compromise with the accused without any fear, pressure or coercion.”

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R. qua the petitioner No.1, namely, Jaswinder Singh @ Shinda.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed qua petitioner No.1 Jaswinder Singh @ Shinda only and F.I.R. No.140 dated 28.8.2011 under Sections 324, 326, 452, 148 and 149 IPC as well as Section 25 and 27 of the Arms Act, 1959 registered at Police Station Sultanwind, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioner No.1 only, on the basis of compromise dated 5.3.2013 (Annexure P-2).

January 07, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE