

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

CRM-M-18106 of 2015

Date of decision: 08.04.2016

Ranjodh Singh & another

----Petitioner (s)

V/s

State of Punjab & another

-----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. Harsh Garg, Advocate for the petitioners.

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

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.32 dated 30.03.2013 under Sections 323, 452, 148 and 149 IPC registered at Police Station Anandpur Sahib, Distt. Rupnagar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of affidavit of complainant dated 11.05.2015 (Annexure P-2).

This Court vide order dated 28.05.2015 had directed the parties to appear before the trial Court/Illaq Magistrate on 22.07.2015 or any other date convenient to the Court to get their statements recorded with regard to compromise and the trial Court/Illaq Magistrate was directed to submit its report along with

the statements of the parties qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 28.05.2015, the parties have appeared before learned Sub Divisional Judicial Magistrate, Anandpur Sahib and got their statements recorded. On the basis of the statements so recorded, learned Judge has forwarded his report dated 10.08.2015 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.

Though, today no one is present on behalf of respondent No.2, namely, *Hardeep Singh*, but no prejudice would be caused to him, as he has already suffered a statement before learned Magistrate on 29.07.2015.

The statement made by the complainant-respondent No.2, namely, *Hardeep Singh* son of Gurbaksh Singh, reads as under:-

“Stated that in the present case FIR No.32 dated 30.03.2013 was registered on my statement given to the police. Now I have entered into compromise with accused Ranjodh Singh and Ranvir Singh with intervention of the respectable persons of the village and our family members and I do not want to take any action against the accused. I have entered into compromise with the accused out of my free will and without any undue influence and pressure from any side. I have no objection if the FIR in the present case is quashed and accused are acquitted. I have seen the copy of compromise Mark A and I identify my signature on the same at point A.”

Apart from the statement of the complainant-respondent No.2-*Hardeep Singh*, 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.

Learned counsel for the State does not dispute the factum of compromise entered into 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.32 dated 30.03.2013 under Sections 323, 452, 148 and 149 IPC registered at Police Station Anandpur Sahib, Distt. Rupnagar (Annexure P-1) and all other consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of affidavit of complainant dated 11.05.2015 (Annexure P-2).

08.04.2016
Anjal

[HARI PAL VERMA]
JUDGE