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

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Date of Decision: 23.04.2016

NATHU RAM AND OTHERS

... Petitioners

VS.

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. L.S. Lakhanpal, Advocate,
for the petitioners.

Mr. Navdeep Singh, DAG, Punjab.

Mr. Kulwinder Singh, Advocate,
for the respondent Nos. 2 to 4.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

KULDIP SINGH, J (ORAL)

The prayer in the present petition filed under Section 482 of Cr. P.C. is for quashing of FIR No. 31 dated 03.04.2006 (**Annexure P-1**) registered under Sections 323/324/325/148/149 IPC at Police Station Qadian, District Batala **AND** order of sentence dated 21.03.2013 passed by the learned Judicial Magistrate Ist Class, Batala, (**Annexure-2**) vide which the present petitioners have been convicted, on the basis of compromise dated 24.04.2015 (**Annexure P-4**).

Report of the learned Additional District and Sessions Judge, Gurdaspur has been received wherein it is reported that the statements of the complainant Bittu alias Surjit Masih, injured Gahla as well as accused persons namely Nathu Ram, Amit, Jora,

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Kashmira alias Kalia and Happy have been recorded. It is further reported by the learned judge that the parties have compromised the matter and that the said compromise is made voluntarily and is without any coercion, pressure or undue influence.

The judgement of the trial Court shows that the petitioners were convicted under Sections 323/324/148/149 IPC. It was a case of the simple injuries.

Since, the dispute is amicably settled and some of the offence though minor in nature, are not compoundable, therefore, it is a fit case where even in the appeal, the proceedings should be quashed.

Accordingly, the FIR No31 dated 03.04.2006 registered under Sections 323/324/325/148/149 IPC at Police Station Qadian, District Batala stand quashed and the judgment of conviction and order of sentence dated 2103.2013 passed by the learned Judicial Magistrate, Ist Class, Batala for convicting and sentencing the petitioners under Sections 323/324/148/149 IPC is set aside and the accused-petitioners stand acquitted of the charges framed against them.

In view of the above the present petition stands allowed.

**[KULDIP SINGH]
JUDGE**

April 23, 2016
Suresh Kumar