

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

CRM-M-26994 of 2015

Date of decision: 19.01.2016

Jaspreet Singh and others

-----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:- None for the petitioner(s).

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.90, dated 28.05.2015, under Sections 148, 323, 452 and 506 read with Section 149, IPC, registered at Police Station, Nehianwala, District Bathinda, and all the consequential proceedings arising therefrom, on the basis of the compromise dated 28.07.2015 (Annexure P-2).

This Court vide order dated 14.08.2015 had directed the parties to appear before the learned Chief Judicial Magistrate, Bathinda on 11.09.2015 to get their statements recorded with regard to the compromise and the learned Magistrate was directed to submit his/her report along with the copies of the statements.

Pursuant to the aforesaid order dated 14.08.2015, the parties have appeared before learned Chief Judicial Magistrate, Bathinda and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 06.10.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same is genuine.

The statement of the complainant-respondent No.2, namely, Bhagwan Dass son of Valaety Ram, reads as under:-

“Stated that I have lodged the present FIR against accused/petitioners No.1 to 5 alongwith one Manpreet Singh son of Mander Singh. Now I have effected compromise with accused persons/petitioners. Compromise has been effected with the intervention of respectables. Now I have no grudge against them. I have no objection if FIR No.90 dated 28.5.2015, under Sections 452, 323, 506, 148, 149 of IPC, P.S. Nahianwala, Bathinda is quashed against accused/petitioners No.1 to 5. Compromise has been effected without any force, undue influence or coercion. I have brought my original Adhaar Card and Police Advisory Committee, Bathinda and I produce the photocopies of same.

RO & AC
Sd/- Bhagwan Dass

Sd/-
(Vikrant Kumar, PCS)
CJM, Bathinda
03.10.2015”

Apart from the statement of the complainant-respondent No.2- *Bhagwan Dass*, 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 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.90, dated 28.05.2015, under Sections 148, 323, 452 and 506 read with Section 149, IPC, registered at Police Station, Nehianwala, District Bathinda, and all the consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 28.07.2015 (Annexure P-2).

19.01.2016
Anjal

[HARI PAL VERMA]
JUDGE