

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

CRM-M-27543 of 2015

Date of decision: 15.03.2016

Jorawar 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:- Mr. P.B.S. Goraya, Advocate for
Mr. Inder Pal Singh, Advocate for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

None for respondent No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer made in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 210 dated 15.08.2014, under Sections 326, 323, 34 IPC, registered at Police Station, Patti, District Tarn Taran (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 30.07.2015 (Annexure P-2).

This Court vide order dated 19.08.2015 had directed the parties to appear before the Illaqa Magistrate, Tarn Taran on 22.09.2015 or any other date convenient to the Magistrate to get their

statements recorded with regard to compromise and the Illaqa Magistrate was directed to submit its report qua the genuineness of the compromise along with the statements of the parties.

Pursuant to the aforesaid order dated 19.08.2015, the parties have appeared before learned Sub Divisional Judicial Magistrate, Patti and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 29.09.2015 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/complainant, namely, Prabhdyal Singh son of Sajjan Singh, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 22.09.2015. The said statement reads as under:-

“Stated that the case FIR No.210 dated 15.08.2014, U/s 326, 323,34 of IPC, P.s. Patti was registered at my statement against accused 1. Amrik Singh son of Jagir Singh, aged 55 years, R/o village Dubli, now resident of Garden Colony, Patti, Tehsil Patti, District Tarn Taran. 2.Jorawar Singh son of Amrik Singh, R/o village Dubli, now resident of Garden Colony, Patti, Tehsil Patti, District Tarn Taran. 3.Mandeep Singh son of Daljinder Singh, R/o village Valtoha, Tehsil Patti, District Tarn Taran. Now with the intervention of respectables, the matter has been compromised to my satisfaction. Now I have no grudge against the above said accused and I have no objection, if FIR No.210 dated 15.08.2014, U/s. 326, 323, 24 of IPC, P.S. Patti against the above mentioned accused is quashed by the Hon'ble High Court. I am an educated person I know my good or bad. I have compromised the matter with my sweet will and without any undue influence and without pressure from any person. Attested photocopy of my Voter Card is Ex.CW1 issued by Govt. of India as my identity proof.”

Apart from the statement of the complainant-respondent No.2-*Prabhdyal 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 also 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. 210 dated 15.08.2014, under Sections 326, 323, 34 IPC, registered at Police Station, Patti, District Tarn Taran (Annexure P-1), and all other consequential proceedings arising therefrom, qua the petitioners, are quashed, in view of the compromise dated 30.07.2015 (Annexure P-2).

15.03.2016
Anjal

[HARI PAL VERMA]
JUDGE