

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

CRM-M-29412 of 2015

Date of decision: 19.01.2016

Satnam Singh & others

-----Petitioner (s)

V/s

State of Punjab & Others

-----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. Harish Sharma, Advocate for the petitioner(s).

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Ashok Bhardwaj, Advocate for
respondents No. 2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.69, dated 23.02.2015, (Annexure P-1), for the offences punishable under Sections 380, 427, 447 and 511, IPC, registered at Police Station, Jodhewal, Ludhiana, and all the consequential proceedings arising therefrom, on the basis of the compromise dated 07.05.2015 (Annexure P- 2).

This Court vide order dated 01.09.2015 had directed the parties to appear before the learned Chief Judicial Magistrate on 24.09.2015 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 01.09.2015, the parties have appeared before Chief Judicial Magistrate, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 24.09.2015 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.

Mr. Ashok Bhardwaj, Advocate has put in appearance on behalf of respondents No. 2 and 3, namely, Arvind and Prabha Mittal respectively and filed Power of Attorney, which is taken on record. He submits that though respondent No.2-Arvind was caretaker of the plot which is owned by his sister i.e. respondent No.3-Prabha Mittal, however, he has the instructions to inform the Court that the matter has been compromised.

The statement of the complainant-respondent No.2, namely, Arvind son of Davinder Lal, reads as under:-

“Stated that present case bearing FIR no.69 dated 23.2.2015 u/s 380/447/511/427 IPC has been registered against Satnam Singh, Paramjot Singh, Sajid @ Bal, Mohd. Sultan and Mohd. Umar on my statement. Now with intervention of respectables, the matter has been compromised between me and accused persons and I do not want to pursue with the present case. Present compromise is with my free consent without any pressure, threat and coercion. I have no objection if the present case be compound. I also produce my I.D. i.e. self attested copy of driving licence.

RO & AC
Sd/- Arvind

Sd/-
(Ranjeev Kumar)
CJM/Ldh/ 24.09.2015”

Apart from the statement of the complainant-respondent No.2-Arvind, 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.69, dated 23.02.2015, (Annexure P-1), for the offences punishable under Sections 380, 427, 447 and 511, IPC, registered at Police Station, Jodhewal, Ludhiana and all other consequential proceedings arising therefrom are quashed, qua the petitioners, in view of the compromise 07.05.2015 (Annexure P- 2).

19.01.2016

Anjal

[HARI PAL VERMA]
JUDGE