

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

CRM-M-32225 of 2015

Date of decision: 21.01.2016

Chamkaur 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 petitioners.

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

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No. 155, dated 3.10.2013, for the offences punishable under Sections 379, 447, 506 and 411 (wrongly mentioned as 511) read with Section 34, IPC, registered at Police Station, City South, Moga, and all the consequential proceedings arising therefrom, on the basis of the compromise dated 09.01.2014(Annexure P-3).

This Court vide order dated 24.09.2015 had directed the parties to appear before the learned trial Court on 16.10.2015 to get their statements recorded with regard to the compromise and the learned trial Court was directed to submit its report in that regard along with copies of the statements of the parties.

Pursuant to the aforesaid order dated 24.09.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Moga and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 20.10.2015 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.

The statement of the complainant-respondent No.2, namely, Jeet Singh son of Sh. Mangal Singh, reads as under:-

“Stated that Baldev Singh is my son and we have compromised the matter with the accused Chamkaur Singh, Bhola Singh and Balour Singh with the intervention of respectables persons and now we have no grudge and enmity against the accused. We entered into the abovesaid compromise voluntarily and without any pressure or coercion on part of anybody. We do not want to proceed further with the FIR No.155, dated 03.10.2013 u/s 379, 447, 506, 411 read with Section 34 of IPC, registered at P.S. City South Moga, Distt. Moga. We have no objection if the FIR be quashed and compromise be accepted.

RO & AC
Sd/- Jeet Singh

Sd/-
(Gaurav Gupta)
JMJC, Moga, 16.10.2015”

Apart from the statement of the complainant-respondent No.2- *Jeet 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 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. 155, dated 3.10.2013, for the offences punishable under Sections 379, 447, 506 and 411(wrongly mentioned as 511) read with Section 34, IPC, registered at Police Station, City South, Moga, and all the consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 09.01.2014 (Annexure P-3).

21.01.2016

Anjal

[HARI PAL VERMA]
JUDGE