

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

CRM-M-35983 of 2015

Date of decision: 08.04.2016

Ranjodh 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. Sandeep Arora, Advocate for the petitioners.

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

None for respondents No.2 & 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.29 dated 15.05.2013 under Sections 307/120-B IPC, registered at Police Station Qadian Police District Batala, Distt. Gurdaspur and all consequential proceedings arising therefrom on the basis of compromise dated 29.09.2015 (Annexure P-2).

Learned counsel for the petitioners submits that the case of the petitioners falls within the parameters laid down by Hon'ble Apex Court in **Narinder Singh & others vs. State of Punjab and another 2014(2) R.C.R. (Criminal) 482**, as quashing was sought at the initial stage and there is no bullet/fire arms injury.

This Court vide order dated 19.10.2015 had directed the parties to appear before the trial Court on 26.10.2015 or any other date convenient to the Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report along with the statements of the parties qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 19.10.2015, the parties have appeared before learned Addl. Sessions Judge, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Addl. Sessions Judge has forwarded his report dated 24.11.2015 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 respondents No.2 & 3, namely, Nirmal Kaur and Major Singh receptively, but no prejudice would be caused to them, as they have already suffered with regard to the compromise statements before learned Addl. Sessions Judge on 16.11.2015.

The statement made by the complainant-respondent No.2, namely, *Nirmal Kaur* wife of Major Singh, reads as under:-

"That I have entered compromise with my free consent without any pressure and coercion from any corner. I and accused party belong to same village. I have entered into compromise with the view to promote harmony and cordial relations in future and to end bitterness as we want to live peacefully in the village. We have settled all our disputes. There is no other criminal litigation pending between us except the present case. I have no objection if Hon'ble High Court Chandigarh quashed the present criminal case against

the accused on the basis of compromise effected between us. There is no dispute left between us and we want to end all the litigation to lead peaceful life”

Apart from the statement of the complainant-respondent No.2-Nirmal Kaur, similar statement was also suffered by respondent No.3-Major 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 into between the parties.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab and another 2007 (3) RCR (Criminal) 1052 (P&H)** and as approved by Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others (2012)10 SCC 303** as well as **Narinder Singh & others vs. State of Punjab and another 2014(2) R.C.R. (Criminal) 482**, this petition is allowed and FIR No.29 dated 15.05.2013 under Sections 307/120-B IPC, registered at Police Station Qadian Police Distt. Batala, Distt. Gurdaspur and all other consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 29.09.2015 (Annexure P-2).

08.04.2016
Anjal

[HARI PAL VERMA]
JUDGE