

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

CRM-M-35989 of 2015
Date of decision: 04.03.2016

Jasbir Singh and 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:- None for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Mandeep K. Dhot, Advocate for
respondents No. 2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.254 dated 10.09.2015, under Sections 295, 323, 506 and 34 IPC registered at Police Station, City Tarn Taran, District Tarn Taran (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 01.10.2015 (Annexure P-2).

This Court vide order dated 19.10.2015 had directed the parties to appear before the Area Magistrate to get their statements recorded with regard to compromise and the Area Magistrate was directed to submit its report qua the genuineness of the compromise

along with the copies of the statements.

Pursuant to the aforesaid order dated 19.10.2015, the parties have appeared before learned Chief Judicial Magistrate, Tarn Taran and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 05.11.2015 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.

A joint statement suffered by complainant-respondent No.2, namely, Ajit Singh son of Joginder Singh as well as respondent No.3-Jobanjit Singh son of Ajit Singh, who is stated to be a witness in the case, before the Magistrate on 03.11.2015, reads as under:-

“Stated that above said stated cross case vide FIR no.254 dated 10.09.2015, in above said FIR titled as “St. Vs. Jasbir Singh etc. With the intervention of respectables and relatives a compromise has been effected between us and Jasbir Singh, Jagdish Singh, Jatinder Singh and Bhupinder Singh. In view of the compromise the difference between us has been sorted out and matter has been compromised. The compromise is signed by ourselves, Jasbir Singh, Jagdish Singh, Jatinder Singh and Bhupinder Singh, in the presence of witnesses. The compromise is without any coercion, pressure and threat. Both the parties are willing to put an end to their enmity and willing to live peacefully. We have no grievance with the accused Jasbir Singh, Jagdish Singh, Jatinder Singh and Bhupinder Singh. We have no objection if the above said FIR may kindly be quashed against Jasbir Singh, Jagdish Singh, Jatinder Singh and Bhupinder Singh.”

Apart from the joint statement of the complainant-respondent No.2 and respondent No.3(witness), whereby they have 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.

Mr. Mandeep K. Dhot, Advocate has put in appearance on behalf of of respondents No. 2 and 3 and admits the factum of compromise.

Similarly, learned counsel for the State, on instructions from ASI-Jaswinder Singh, 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.254 dated 10.09.2015, under Sections 295, 323, 506 and 34 IPC registered at Police Station, City Tarn Taran, District Tarn Taran (Annexure P-1), and all other consequential proceedings arising therefrom, qua the petitioners, are quashed, in view of the compromise dated 01.10.2015 (Annexure P-2).

04.03.2016
Anjal

[HARI PAL VERMA]
JUDGE