

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

CRM-M-36085 of 2015
Date of decision: 04.03.2016

Ajit 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:- Mr. Mandeep K. Dhot, Advocate for
for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

None for respondents No. 2 to 5.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing cross version bearing DDR No.38 dated 12.09.2015 (Annexure P-1), recorded in FIR No. 254, dated 10.09.2015, under Sections 295, 323, 341 and 34 IPC registered at Police Station, City Tarn Taran, District Tarn Taran 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.

Though, today no one is present on behalf of respondents No. 2 to 5, but no prejudice would be caused to them, as they have already suffered a joint statement with regard to validity of the compromise before the learned Magistrate.

A joint statement suffered by respondents No. 2 to 5, i.e. all the complainants/witnesses in the case, namely, Jasbir Singh, Jagdish Singh, Jatinder Singh and Bhupinder Singh, before the Magistrate on 03.11.2015, reads as under:-

“Stated that above said stated cross case vide DDR no.38 dated 12.9.2015 in above said FIR titled as “St. Vs. Ajit Singh etc. With the intervention of respectables and relatives a compromise has been effected between us and Ajit Singh & Jobanjit 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, Ajit Singh & Jobanjit 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 Ajit Singh & Jobanjit Singh. We have no objection if the above said FIR and cross version case kindly be quashed

against Ajit Singh & Jobanjit Singh.

Apart from the joint statement of all the complainants/witnesses i.e. respondents No.2 to 5, 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 cross version DDR.

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 cross version bearing DDR No.38 dated 12.09.2015 (Annexure P-1), recorded in FIR No. 254, dated 10.09.2015, under Sections 295, 323, 341 and 34 IPC, registered at Police Station, City Tarn Taran, District Tarn Taran , 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**