

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

CRM-M-36183 of 2015

Date of decision: 15.03.2016

Harpreet Singh

----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:- Mr. T.P.S. Makkar, Advocate for
Mr. Mandeep Singh Sodhi, Advocate for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

Ms. Dolly Sharma, Advocate for respondent
No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.45 dated 5.3.2015 under Section 420 IPC registered at Police Station City Zira, District Ferozepur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.09.2015 (Annexure P-2).

This Court vide order dated 20.10.2015 and 18.12.2015, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its

report qua the genuiness of the compromise.

Pursuant to the aforesaid orders, the parties have appeared before learned Sub Divisional Judicial Magistrate, Zira and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 15.01.2016 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.

Learned counsel for respondent No.2/complainant, namely, Mohan Singh son of Nikka Singh, admits the factum of compromise effected between the parties.

The statement suffered by respondent No.2/complainant, namely, Mohan Singh son of Nikka Singh with regard to validity of the compromise before learned Magistrate on 11.01.2016, reads as under:-

“Stated that I am the complainant of FIR No.45 dated 5.03.2015 under Section 420 IPC P.S. City Zira which was lodged by me at P.S. Zira. Now a compromise has been effected between me and above said accused with the intervention of Panchayat, respectables and relatives of our village. Hence, I do not want to proceed with the present FIR and I have no objection if the same is quashed. The compromise deed dated 29.9.2015 is already on file which bears my signature and signature of the accused. I have no objection in the case the petition for quashing be accepted and the present FIR be quashed. The compromise has been effected without any pressure or coercion from any corner.”

Apart from the statement of the complainant-respondent No.2-Mohan 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 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.45 dated 5.3.2015 under Section 420 IPC registered at Police Station City Zira, District Ferozepur (Annexure P-1), and all other consequential proceedings arising therefrom, qua the petitioner, are quashed, in view of the compromise dated 29.09.2015 (Annexure P-2).

15.03.2016

Anjal

**[HARI PAL VERMA]
JUDGE**