

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

CRM-M- 37734 of 2015
Date of decision: 08.01.2016

Satvir Singh @ Sattu @ Sonu

-----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. S.S. Tiwan, Advocate for the petitioner(s).

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

HARI PAL VERMA, J.

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of case FIR No.226, dated 19.07.2015(Annexure P-1), under Section 308 IPC, registered at Police Station, Tripri Town, Patiala, all other subsequent proceedings arising therefrom, on the basis of compromise/affidavit dated 09.10.2015 (Annexure P-2).

This Court vide order dated 04.11.2015 had directed the parties to appear before the Illaqa Magistrate on 08.12.2015 or any other date convenient to the Court to get their statements recorded with regard to the compromise and the Illaqa Magistrate was directed to submit its report.

Pursuant to the aforesaid order dated 04.11.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Patiala and got

their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 23.11.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same is genuine.

The statement of the complainant-respondent No.2, namely, Parveen Sharma son of Sh. Babu Ram Sharma, aged about 34 years, reads as under:-

“Stated that I have lodged the FIR No.226 dated 19.7.2015, U/s 308 IPC, P.S. Tripuri, Patiala against the accused. Now, I have entered into a compromise with accused namely Satvir Singh @ Sattu @ Sonu as per written affidavit/compromise dated 9.10.2015. Copy of the affidavit/compromise is Ex.CX. The said compromise has been effected by me voluntarily, without any undue influence, pressure or force. I have no objection if the present FIR against the accused is quashed. No other case is pending between the parties.

RO & AC
Sd/- Parveen Sharma

Sd/-
(Jagmeet Singh, PCS)
JMIC/Patiala
19.11.2015”

Apart from the statement of the complainant-respondent No.2, 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.226, dated 19.07.2015(Annexure P-1), under Section 308 IPC, registered at Police Station, Tripri Town, Patiala and all other subsequent proceedings arising therefrom are quashed, qua the petitioners, in view of compromise/affidavit dated 09.10.2015 (Annexure P-2).

08.01.2016

Anjal

**[HARI PAL VERMA]
JUDGE**