

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

CRM-M-39264 of 2015

Date of decision: 02.02.2016

Jagtar Singh & others

----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. Veneet Sharma, Advocate for the petitioners.

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

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.252, dated 10.12.2014, for the offences punishable under Sections 326, 323 and 34 IPC, registered at Police Station, Bhikhiwind, Distt. Tarn Taran (Annexure P-1) and all other consequential proceedings arising therefrom, on the basis of the compromise dated 07.11.2015 (Annexure P-2).

This Court vide order dated 20.11.2015 had directed the parties to appear before the trial Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report about the genuiness of the compromise.

Pursuant to the aforesaid order dated 20.11.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Patti and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 20.01.2016 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 suffered by the complainant-respondent No.2, namely, Sarmukh Singh before the Magistrate on 06.01.2016, reads as under:-

“That I am the injured complainant of this case. I have compromised the matter with the accused person through the intervention of respectable, using my free-will and consent, without any coercion or undue influence. This compromise will bring peace between the parties. I have no objection if FIR No.252/10.12.2014 recorded on my statement against accused person is quashed on the basis of compromise. Copy of the compromise has been tagged in the quashment proceeding before the Hon'ble Pb. and Haryana Court, Chandigarh.

RO & AC
Sd/- Sarmukh Singh

Sd/-
Gagandeep Singh
Judicial Magistrate Ist Class,
06.01.2016.

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.252, dated 10.12.2014, for the offences punishable under Sections 326, 323 and 34 IPC, registered at Police Station, Bhikhiwind, Distt. Tarn Taran (Annexure P-1), and all other consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 07.11.2015 (Annexure P-2).

02.02.2016
Anjal

[HARI PAL VERMA]
JUDGE