

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

CRM-M-40954 of 2015
Date of decision: 23.02.2016

Gian Singh and 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:- None for the petitioners.

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

Mr. Munish Raj Chaudhary, Advocate for
respondent No.2-complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No. 96 dated 22.8.2014, under Sections 452, 341, 323, 148, 149, 120-B IPC, registered at Police Station Chhajli, District Sangrur (Annexure P-1) and all the proceedings subsequent arising therefrom on the basis of compromise dated 15.11.2015 (Annexure P-2).

This Court vide order dated 03.12.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report about the genuineness of the compromise.

Pursuant to the aforesaid order dated 03.12.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Sunam, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 23.12.2015 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.

The statement made by the complainant-respondent No.2, namely, Karamjit Singh son of Major Singh before the Magistrate on 18.12.2015, reads as under:-

“Stated that FIR No.96 dated 22.08.2014 Under Section 452, 341, 323, 148, 149, 120-B IPC P.S. Chhajli was registered on my statement against the accused. I have compromised the matter with the all accused. The compromise is voluntarily and with free will and without any coercion undue influence or fear. I have no objection if present FIR no.96 dated 22.08.2014 Under Section 452, 341, 323, 148, 149, 120-B IPC P.S. Chhajli is quashed. No P.O proceeding against any accused are pending in this case nor any accused has been declared as P.O. in this case. There are total six accused in the present case.

RO & AC
Sd/- Karamjit Singh

Sd/-
(Lavdeep Hundal)
JMIC, Sunam-18.12.2015.”

Apart from the above statement, whereby respondent No. 2-complainant 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 as well as learned counsel for respondent No.2-complainant 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. 96 dated 22.8.2014, under Sections 452, 341, 323, 148, 149, 120-B IPC, registered at Police Station Chhajli, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 15.11.2015 (Annexure P-2).

23.02.2016

Anjal

**[HARI PAL VERMA]
JUDGE**