

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

CRM-M-42000 of 2015

Date of decision: 17.05.2016

Ranjit 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:- Mr. M.S. Bajwa, Advocate for the petitioners.

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

None for respondent No. 2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.270 dated 30.10.2015 for offence under Sections 336, 148, 149 IPC and Section 25 & 27 of the Arms Act, 1959 registered at Police Station, Sultanwind, Distt. Amritsar (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

This Court vide order dated 11.12.2015 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 genuineness of the compromise.

Pursuant to the aforesaid order dated 11.12.2015, petitioner No.1 and complainant/respondent No.2 have appeared before learned Chief Judicial Magistrate Amritsar on 24.12. 2015 and got their statements recorded.

Though, today no one is present on behalf of respondent No.2-complainant, namely, *Tajinder Singh Son of Balwant Singh*, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 24.12.2015. The said statement, reads as under:-

"I have got registered FIR No.270 of 30.10.2015 under Sections 336, 148, 149 IPC and 25, 27, 25(54), 59 of the Arms Act police station, Sultanwind against accused Ranjit Singh, Raghuraj @ Raghu and Saraj Singh and now with the intervention of respectables, entire matter between me and the accused has been amicably settled. I have arrived at the compromise with the accused out of my free will and willful consent and there is no pressure or coercion upon me. There is no other case except the present one is pending. I have no objection if FIR No.270 of 30.10.2015 under Sections 336, 148, 149 IPC and 25, 27, 25(54), 59 of the Arms Act police station, Sultanwind is quashed."

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 into 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.270 dated 30.10.2015 for offence under Sections 336, 148, 149

IPC and Section 25 & 27 of the Arms Act, 1959 registered at Police

Station, Sultanwind, Distt. Amritsar (Annexure P-1) and all

consequential proceedings arising therefrom, are quashed, qua the

petitioners, in view of the compromise(Annexure P-2).

17.05.2016

Anjal

[HARI PAL VERMA]

JUDGE