

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

CRM-M-43185 of 2015

Date of decision: 15.03.2016

Kulwinder Singh and others

----Petitioner (s)

V/s

State of Punjab & others

-----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:- Ms.Gurnam Kaur Turka, Advocate for the petitioners.

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

None for respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.66 dated 22.07.2015 under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Ghanaur, District Patiala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 08.12.2015(Annexure P-2).

This Court vide order dated 21.12.2015 had directed the parties to appear before the learned Illaqa Magistrate to get their statements recorded with regard to compromise and the Illaqa Magistrate was directed to submit its report qua the genuiness of the compromise.

Pursuant to the aforesaid order dated 21.12.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Rajpura and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 08.02.2016 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.

Though, today no one is present on behalf of respondents No.2 to 4, but no prejudice would be caused to them, as they have already made a joint statement with regard to validity of the compromise before learned Magistrate on 08.02.2016. The joint statement of Karanveer Singh, Balwinder Kaur and Amanpreet Kaur, reads as under:-

“Stated that we got registered FIR No.66 of 22.7.2015 U/s 420/467/468/471/120B IPC, P.S. Ghanaur against the accused Kulwinder Singh son of Harpal Singh, Kulwant Kaur wife of Tarlok Singh, Harnek Singh son of Mewa Singh and Vir Singh s/o Ishar Singh, residents of village Kami Khurd, Sub Tehsil Ghanaur, Tehsil Rajpura, Distt. Patiala. With the intervention of the respectable of the locality, the matter had already been compromised between the parties. The copy of compromise is Ex.PX the original of which has already been annexed with the quashing petition. The compromise is without any pressure, threat or coercion.

Apart from the above joint statement of the respondents No.2 to 4, whereby they have 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.66 dated 22.07.2015 under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Ghanaur, District Patiala (Annexure P-1), and all other consequential proceedings arising therefrom, qua the petitioners, are quashed, in view of the compromise dated 08.12.2015 (Annexure P-2).

15.03.2016
Anjal

[HARI PAL VERMA]
JUDGE