

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

CRM-M-43689 of 2015
Date of decision: 11.03.2016

Randeep Singh alias Raja and another

----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. J.S. Sandhu, Advocate for
Mr. Ashish Gupta, 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.19 dated 4.3.2013 under Sections 324, 148 and 149 IPC as well as Sections 25 and 27 of the Arms Act, 1959 (while presenting Challan, Section 326 IPC has been added and Sections 25 and 27 of the Arms Act, 1959 have been deleted) registered at Police Station, Badhni Kalan, District Moga (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise and affidavit dated 23.11.2015 (Annexures P-2 and P-3 respectively).

This Court vide order dated 23.12.2015 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 genuineness of the compromise.

Pursuant to the aforesaid order dated 23.12.2015, the parties have appeared before learned Sub Divisional Judicial Magistrate, Nihal Singh Wala 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 a bona fide compromise without any pressure and the same is genuine.

The statement suffered by the complainant-respondent No.2, namely, Jasmel Singh, before the Magistrate on 18.01.2016, reads as under:-

“Stated that FIR No.19 dated 4.3.2013 registered at P.S. Badhni Kalan was lodged on the basis of my statement against the accused Randip Singh alias Rana and Major Singh alias Jaspal. Now matter has been amicably settled with the accused with the intervention of respectable of the village, without any fraud, coercion, undue influence or pressure. Now I do not want to proceed against the accused. I have no objection if the present proceedings are quashed.

Learned counsel for the State does not dispute the factum of compromise effected 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.19 dated 4.3.2013 under Sections 324, 148 and 149 IPC as well as Sections 25 and 27 of the Arms Act, 1959 (while presenting

Challan, Section 326 IPC has been added and Sections 25 and 27 of the Arms Act, 1959 have been deleted) registered at Police Station, Badhni Kalan, District Moga (Annexure P-1) and all other consequential proceedings arising therefrom, qua the petitioners, are quashed, in view of the compromise and affidavit dated 23.11.2015 (Annexures P-2 and P-3 respectively).

11.03.2016
Anjal

[HARI PAL VERMA]
JUDGE