

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43928 of 2014

Date of decision: 27.01.2016

Ranjit Singh

----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:- Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. P.S. Madahar, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.14, dated 01.02.2010, for the offences punishable under Sections 304-A, 279, 427, 337 and 338 IPC, registered at Police Station, Sadar Batala, District-Gurdaspur (Annexure P-1) and all the consequential proceedings arising therefrom, on the basis of the compromise dated 21.10.2014 (Annexure P-2).

This Court vide order dated 23.12.2014 had directed the parties to appear before the trial Court to get their statements recorded with regard to the compromise and the trial Court was directed to submit its report about the genuineness of the compromise.

Pursuant to the aforesaid order dated 23.12.2014, the parties have appeared before learned Judicial Magistrate Ist Class, Batala and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 17.03.2015 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 joint statement of the complainants-respondents, namely, Panjab Singh, Gurwinder Singh, Harpinder Singh, Jaspinder Kaur and Jatinder Kaur reads as under:-

“That the present case FIR No.14 dated 1.2.2010 (wrongly written as 1.2.2014) u/ss 304A, 279, 427, 337, 338 IPC, Police Station Sadar Batala, District Gurdaspur, was registered against accused Ranjit Singh s/o Sadhu Singh, village Rattatibba, at present Hargobindpur Nagar, PS Malout, District Shree Muktsar Sahib, on our statement. Now the matter has been compromised by the respectable and we do not want to proceed against the accused person, as we do not have any grudge against the petitioner/accused and we want to live in society with peace and harmony and we have no objection if the present case FIR is quashed. We have suffered this statement without any pressure or coercion.

*RO & AC
Sd/- Panjab Singh
Sd/- Gurwinder Singh
Sd/- Harpinder Singh
Sd/- Jaspinder Kaur
RTI/- Jatinder Kaur*

*Sd/-
(Monika Chouhan, PCS)
Judicial Magistrate Ist
Class, Batala-12.3.2015”*

Apart from the statement of the complainants-respondents, 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 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.14, dated 01.02.2010, for the offences punishable under Sections 304-A, 279, 427, 337 and 338 IPC, registered at Police Station, Sadar Batala, District-Gurdaspur (Annexure P-1), and all the consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 21.10.2014 (Annexure P-2).

27.01.2016

Anjal

[HARI PAL VERMA]
JUDGE