

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

**CRM-M No.5304 of 2016
Date of Decision : 17.05.2016**

Ajay Kumar @ Ajju and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. **Whether reporters of local newspaper 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. Sagar Aggarwal, Advocate
for the petitioners.

Mr. C.S. Brar, Deputy Advocate General, Punjab
for respondent No.1-State.

Mr. Bhavneet Gaur, Advocate
for respondent No.2.

FATEH DEEP SINGH, J. (ORAL)

Report dated 26th February, 2016 of learned Sub-Divisional Judicial Magistrate, Balachaur (S.B.S. Nagar) has been received based on the statements of complainant namely Ashok Kumar as well as accused persons namely Ajay Kumar and Balbir Singh @ Nikka, whereby the Court has shown its satisfaction that the compromise between the two sides is an outcome of voluntariness, free will of the parties, without any undue influence, coercion or pressure.

Heard.

In the light of the contentions of the two sides by their counsel, though offence under Section 307 IPC has been initially added by the Investigating Officer but subsequent upon receipt of

x-ray report dated 7th September, 2015 whereby the Radiologist who conducted the x-ray examination of three injuries i.e on skull, left upper arm and ray left hand has opined that no fracture was seen and on the basis of which vide opinion dated 3rd October, 2015 the doctor had opined that these injuries have been declared as simple in nature. Even the State Counsel on instructions from ASI Phool Ram, Police Station Pojewal, District Shabeed Bhagat Singh Nagar has submitted that on account of this medical opinion offence under Section 307 IPC has been deleted.

In the light of the satisfaction shown by the Court, the fact that parties belong to the same very area and the offences for which the accused have been hauled up are not of serious nature, apparently there is a dispute over carrying out trade in liquor together with the fact that compromise will go a long way in ironing out the differences and to remove ill will for betterment of future life of the parties and would bring about amity and goodwill and in view of the law laid down in "**Gian Singh Vs. State of Punjab and another**" **2012(4) RCR (Criminal) 543** and "**Kulwinder Singh and others Vs. State of Punjab and another**" **2007 (3) RCR (Criminal) 1052**, the prayer made in the petition is allowed, proceedings by way of FIR No.36 dated 02.09.2016, registered at Police Station Pojewal District Shaheed Bhagat Singh Nagar under Section 307/324/427/148/149/506 IPC, and all consequences arising out of the said FIR *qua* the present petitioners are hereby quashed.

The petition stands allowed in those terms.

May 17, 2016
Dpr

(FATEH DEEP SINGH)
JUDGE