

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

**CRM-M-7209 of 2016**  
**Date of decision: 31.05.2016**

**Swaranjit Singh and others**

**----Petitioner (s)**

V/s

**State of Punjab and 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.Karanjit Singh, Advocate for the petitioners.

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

Ms.Manjeet Kaur, Advocate for

Mr.Sumeet Puri, Advocate for respondent No.2.

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition, filed under Section 482, Cr.P.C., is for quashing of FIR No.59, dated 04.09.2010, for the offences punishable under Sections 120-B, 365, 420, 467, 468 and 471, IPC, registered at Police Station, Kambo, District Amritsar, and all the consequential proceedings arising therefrom on the basis of compromise dated 20.02.2016(Annexure P-5).

This Court vide order dated 21.04.2016 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 21.04.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Amritsar, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 09.05.2016 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.

Statement made by complainant-respondent No.2, namely, Paramjit Kaur wife of late Kashmir Singh, before the Magistrate on 30.04.2016, reads as under:-

*“Stated that an FIR No.59 dated 04.09.2010 u/s 420, 365, 467, 468, 471/120-B IPC pertaining to Police Station Kamboj, Distt. Amritsar was registered on statement of Kartar Singh s/o Gopal Singh (since deceased). Copy of the death certificate of Kartar Singh attached. In this regard the compromise has been effected between me and the accused persons namely Swaranjit Singh, Gurmej Singh, Amarjit Kaur, Rajwinder Kaur and Harpal Singh vide compromise deed dated 20.02.2016, which was produced by me before the Hon'ble High Court. In the present case the compromise has been effected between me and the accused persons stated above. I have filed a petition u/s 482 Cr.P.C. for the quashment of the above said FIR vide CRM M-7209/2016 before the Hon'ble Punjab and Haryana High Court, in which I was directed to appear before this Hon'ble Court for today for making my statement regarding the compromise. I am making my statement voluntarily without any coercion or undue influence and the compromise produced by me before the Hon'ble High Court is genuine and as such I prayed for the quashing of the above said FIR against the accused persons. I produced my identification i.e. copy of my identity card.”*

Apart from the above statement made by complainant/respondent No.2, whereby she 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 appearing for respondent No.2-complainant does not dispute the factum of compromise arrived at between the parties.

Learned counsel for the State has also not disputed the factum of compromise arrived at between the parties, however, on instruction from ASI-Rajinder Singh, submits that the police has already prepared cancellation report in the case.

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.59, dated 04.09.2010, for the offences punishable under Sections 120-B, 365, 420, 467, 468 and 471, IPC, registered at Police Station, Kambo, District Amritsar and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 20.02.2016(Annexure P-5).

**31.05.2016**  
**Anjal**

**[HARI PAL VERMA]**  
**JUDGE**