

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

CRM-M-7241 of 2016
Date of decision: 04.05.2016

Baldev Singh and others

----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. Aman Dhir, Advocate for the petitioners.

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

Mr.Brij Mohan, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No.11 dated 6.2.2015 under Sections 324, 323, 341, 342, 427, 452, 34 IPC registered at Police Station Kotbahi, District Muktsar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 18.02.2016 (Annexure P-2).

This Court vide order dated 29.02.2016 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 29.02.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Gidderbaha and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 16.03.2016 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 made by the complainant-respondent No.2, namely, *Lakhwinder Singh @ Lakha son of Bikkar Singh* before the Magistrate on 10.03.2016, reads as under:-

“Stated that the above detailed FIR was registered against accused persons upon the basis of my statement and now with the intervention of respectables, I have compromised the matter with the accused Baldev Singh son of Ajaib Singh, Mahjinder Singh son of Baldev Singh, Gursewak Singh @ Sewak son of Makhan Singh and Bhupinder Singh @ DC son of Puran Singh, all r/o village Kotli Ablu. I have no grievance against the above stated accused now and have effected compromise with my own free will, without any pressure of any kind. The compromise is in the benefit of both the parties.”

Apart from the statement of the complainant-respondent No.2-*Lakhwinder Singh @ Lakha*, whereby he 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.

Mr. Brij Mohan, Advocate has put in appearance on behalf of the respondent No.2-complainant and filed his Power of Attorney in Court today, which is taken on record. He admits factum

of compromise entered into between the parties.

Learned counsel for the State has also not disputed the factum of compromise arrived at 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.11 dated 6.2.2015 under Sections 324, 323, 341, 342, 427, 452, 34 IPC registered at Police Station Kotbahi, District Muktsar (Annexure P-1), and all other consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 18.02.2016 (Annexure P-2).

04.05.2016

Anjal

**[HARI PAL VERMA]
JUDGE**