

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

CRM-M-7326 of 2016
Date of decision: 31.05.2016

Gurnam 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.Himanshu Puri, Advocate for the petitioners.

Mr.R.S. Nain, AAG, Punjab.

None 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.224 dated 20.7.2015 under Sections 323/324/452/34 IPC P.S. Dasuya, District Hoshiarpur (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 30.01.2016 (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 Sub Divisional Judicial Magistrate, Dasuya

and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 22.04.2016 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, Sukhwinder Kaur, before the Magistrate on 21.04.2016, reads as under:-

“The above referred FIR was registered on the basis of my statement against Gurnam Singh s/o Barkat Singh resident of Village Saroopwal, Tehsil Begowal District Kapurthala, Kamaljit Kaur wife of Manjeet Singh and Lovepreet Singh alias Lavi son of Manjit Singh both residents of village Bhogpur District Jalandhar. Now I have entered into a compromise with accused-party who is my father-in-law, sister-in-law and sister-in-law's son with my own free consent and with the intervention of relatives. After the compromise there is no ill will between me and the accused persons. It is further requested that compromise may kindly be accepted and the present FIR against the accused may kindly be quashed.”

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 for the State does not dispute the factum of compromise arrived at between the parties, however, on instructions from Head Constable-Jagbir Singh, submits that police has prepared the 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.224 dated 20.7.2015 under Sections 323/324/452/34 IPC P.S. Dasuya, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 30.01.2016(Annexure P-2).

31.05.2016

Anjal

**[HARI PAL VERMA]
JUDGE**