

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

CRM-M-7420 of 2016
Date of decision: 10.05.2016

Varun Chandok

----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:- Ms. Meenu Salwan, Advocate for the petitioner.

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

None for respondent No. 2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.246 dated 20.06.2015 under Sections 323, 452, 427, 148 and 149 IPC (Section 307 IPC added later on) registered at Police Station A Division, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 01.09.2015 (Annexure P-2).

Learned counsel for the petitioner contends that the FIR in question was registered at the instance of respondent No.2 Rajinder Kumar Vohra, who is father-in-law of the petitioner. She submits that after registration of the FIR, the petitioner and daughter of respondent No.2, namely, Monika are residing together as husband

and wife.

Learned counsel for the petitioner submits that the case of the petitioner falls within the parameters laid down by Hon'ble Apex Court in **Narinder Singh & others vs. State of Punjab and another 2014(2) R.C.R. (Criminal) 482**, as quashing was sought at the initial stage and there is no injury caused by gun shot.

This Court vide order dated 01.03.2016 had directed the parties to appear before the trial Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 01.03.2016, 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 his report dated 05.04.2016 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.

Though, today no one is present on behalf of respondent No.2-complainant, namely, *Rajinder Kumar Vohra*, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 28.03.2016. The said statement reads as under:-

"An FIR bearing No.246 dated 20.06.2015 under Section 323, 452, 427, 148 IPC (Section 307 IPC added later on) was registered at Police Station A-Division, District Amritsar at my instance against accused Varun Chandok. The FIR has been registered against one accused only. The matter has been compromised between us voluntarily without any threat,

coercion or undue influence. I do not want to proceed with the present case against the accused. I have no objection if the quashing petition filed before the Hon'ble High Court by the accused is allowed. As per my information the accused is never declared as Proclaimed Offender."

Apart from the above statement of complainant-respondent No.2-Rajinder Kumar Vohra, 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.

Learned counsel for the State does not dispute the factum of compromise entered into 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**, as well as **Narinder Singh & others vs. State of Punjab and another 2014(2) R.C.R. (Criminal) 482**, this petition is allowed FIR No.246 dated 20.06.2015 under Sections 323, 452, 427, 148 and 149 IPC (Section 307 IPC added later on) registered at Police Station A Division, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 01.09.2015 (Annexure P-2).

10.05.2016

Anjal

**[HARI PAL VERMA]
JUDGE**