

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

CRM-M-777 of 2016

Date of decision: 15.03.2016

Harpreet Singh @ Laady Singh & another -----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. B.K. Sharma, Advocate for the petitioners.

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

None for respondent No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.81 dated 25.5.2014 under Sections 452, 323, 324, 148 and 149 IPC, registered at Police Station Bhawanigarh, District Sangrur (Annexure P-1) on the basis of compromise dated 27.05.2014 (Annexure P-2).

This Court vide order dated 11.01.2016 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 11.01.2016, the parties have appeared before learned Chief Judicial Magistrate, Sangrur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 18.02.2016 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, Sukhwinder Singh son of Gurcharan Singh, 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 10.02.2016. The said statement reads as under:-

"I have got registered F.I.R. no.81 dated 25.5.2014 under Sections 452, 323, 324, 148 and 149 IPC, Police Station Bhawanigarh against accused Harpreet Singh, Gurmukh Singh and Buta Singh. I have compromised the matter voluntarily with accused Harpreet Singh, Gurmukh Singh along with Buta Singh without any threat, coercion or undue influence. The original compromise has already been placed with the petition under Section 482 Cr.P.C. filed before the Hon'ble High Court of Punjab and Haryana. I have seen the copy of compromise executed between me and the accused. I identify my signatures on it. I have no objection if the F.I.R. in question is quashed against petitioners Harpreet Singh, Gurmukh Singh and accused Buta Singh."

Apart from the statement of the complainant-respondent No.2-Sukhwinder Singh, 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 also does not dispute the factum of compromise entered 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.81 dated 25.5.2014 under Sections 452, 323, 324, 148 and 149 IPC, registered at Police Station Bhawanigarh, District Sangrur (Annexure P-1), qua the petitioners, is quashed, in view of the compromise dated 27.05.2014 (Annexure P-2).

15.03.2016
Anjal

[HARI PAL VERMA]
JUDGE