

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

CRM-M-8035 of 2016.
Decided on:-11.07.2016.

Sandeep Singh and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

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. Keshav Pratap Singh, Advocate
for the petitioners.

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

Respondent No.2 Iqbal Singh @ Bali in person.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.115 dated 23.9.2013 under Sections 307, 452, 506, 148 and 149 IPC as well as Sections 25 and 27 of the Arms Act, 1959 registered at Police Station Khamanon, District Fatehgarh Sahib (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 3.9.2015 (Annexure P-2).

This Court vide order dated 11.4.2016 had directed the parties

to appear before the trial Court and the trial Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Sub-Divisional Judicial Magistrate, Khamanon and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 31.5.2016 to the effect that the compromise arrived at between the parties appears to be genuine and voluntarily effected without any undue influence and pressure.

Learned counsel for the petitioners contends that so far as offence under Section 307 IPC is concerned, the same has been deleted during the course of investigation as it was a case of 'no injury'.

Respondent No.2-complainant Iqbal Singh @ Bali is present in the Court and is duly identified by investigating officer, namely, ASI Harmesh Lal. Respondent No.2 admits the factum of compromise between the parties and states that in support of his aforesaid assertion, he has already made a statement before the Sub-Divisional Judicial Magistrate, Khamanon on 16.5.2016.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble

Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.115 dated 23.9.2013 under Sections 307, 452, 506, 148 and 149 IPC as well as Sections 25 and 27 of the Arms Act, 1959 registered at Police Station Khamanon, District Fatehgarh Sahib (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise dated 3.9.2015 (Annexure P-2).

July 11, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE