

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

CRM-M-8852 of 2016
Date of decision: 27.05.2016

Ankit Kumar 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.Jasjeet Singh Virk, Advocate for
Mr.K.S. Dadwal, Advocate for the petitioner.

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

Ms.Neha Jain, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.56 dated 19.08.2013 under Sections 323/324/325/326/341/34 IPC registered at Police Station Haryana, Tehsil and Distt. Hoshiarpur (Annexure P-1) including the resport under Section 173 Cr.P.C. (Annexure P-2) and all consequential proceedings arising therefrom on the basis of compromise dated 17.02.2016 (Annexure P-3).

This Court vide order dated 14.03.2016 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 genuiness of the compromise.

Pursuant to the aforesaid order dated 14.03.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Hoshiarpur, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 26.04.2016 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, Lovely Rangra son of Bharat Bhusan, before the Magistrate on 19.04.2016, reads as under:-

“I entered into compromise with the accused Ankit Kumar, Ramjit and Jatinder Kumar on dated 17.02.2016. The copy of compromise is Ex.C1, which bears my signatures. I have no objection if the FIR No.56 be quashed and accused Ankit Kumar, Ramjit and Jatinder Kumar be acquitted from the case. This compromise was executed by myself and Ankit Kumar, Ramjit and Jatinder Kumar without pressure and fear.”

Apart from the above statement made by complainant/respondent No.2, 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.

Ms.Neha Jain, Advocate has put in appearance on behalf of respondent No.2 and filed Power of Attorney in Court which is taken on record. She does dispute the factum of compromise arrived at 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.56 dated 19.08.2013 under Sections 323/324/325/326/341/34 IPC registered at Police Station Haryana, Tehsil and Distt. Hoshiarpur (Annexure P-1) including the resport under Section 173 Cr.P.C. (Annexure P-2) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 17.02.2016 (Annexure P-3).

27.05.2016Anjal**[HARI PAL VERMA]
JUDGE**