

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

CRM-M-8862 of 2016
Date of decision: 27.05.2016

Mahinder Pal

-----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.Lakhwinder Singh Mann, Advocate for the petitioner.

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

Ms.Chavi, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.289 dated 31.12.2015 under Section 324 IPC registered at Police Station Shahkot, Distt. Jalandhar City(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 05.03.2016 (Annexure P-2).

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, Nakodar, and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 31.03.2016 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 Singh son of Kashmir Singh, before the Magistrate on 29.03.2016, reads as under:-

“Stated that above said FIR was registered on the basis of my statement against Mahinder Pal. Now I have entered into compromise with the above said petitioners without any duress, coercion or any other pressure, to maintain the peace and harmony in the village this compromise has been arrived at with the intervention of respectables of village Mianwal Maulvian. I have no objection, if the said FIR is quashed.”

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.

Learned counsel for the State as well as learned counsel for respondent No.2 does not dispute 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.289 dated

31.12.2015 under Section 324 IPC registered at Police Station Shahkot, Distt. Jalandhar City(Annexure P-1) and all the consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 05.03.2016 (Annexure P-2).

27.05.2016

Anjal

**[HARI PAL VERMA]
JUDGE**