

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

CRM-M-9971 of 2016
Date of decision: 26.05.2016

Navdeep Singh 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.G.S.Simble, Advocate for the petitioners.

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

Mr.Paramjit Singh Brar, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of cross case i.e. DDR No.15 dated 10.05.2015, under Sections 308/325/323/148/149 IPC, registered at Police Station Sadar Faridkot, Distt. Faridkot(Annexure P-1). recorded in FIR No.43 dated 09.05.2015 under Sections 326/324/323/148/149 IPC registered at Police Station Sadar Faridkot, Distt. Faridkot(Annexure P-2) and all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-3).

This Court vide order dated 21.03.2016 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 21.03.2016, the parties have appeared before learned Addl. Chief Judicial Magistrate Faridkot, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 12.05.2016 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, Laksh Deep Dhingra son of Rattan Lal Dhingra, before the Magistrate on 22.04.2016, reads as under:-

“Stated that the DDR No.15 dated 10.5.2015 for commission of offences punishable under section 325/323/148/149 IPC, later on added offence punishable under section 308 IPC, PS Sadar Faridkot, Distt. Faridkot, was entered against the accused namely Navdeep Singh, Gurmeet Singh, Rajdeep Singh @ Ravi @Rajveer Singh, Gurlabh Singh @ Gurloveleen Singh and Mandeep Singh @ Mani, at my behest. However with the intervention of Panchayat and respectables, I have effected compromise with the aforesaid accused. The compromise effected between me and accused persons is voluntary and without any threat, pressure, coercion or undue influence. As per the compromise, I do not want ot proceed further against the accused.”

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 DDR.

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 cross case i.e. DDR No.15 dated 10.05.2015, under Sections 308/325/323/148/149 IPC, registered at Police Station Sadar Faridkot, Distt. Faridkot(Annexure P-1). recorded in FIR No.43 dated 09.05.2015 under Sections 326/324/323/148/149 IPC registered at Police Station Sadar Faridkot, Distt. Faridkot(Annexure P-2) and all the consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise (Annexure P-3).

26.05.2016
Anjal

[HARI PAL VERMA]
JUDGE