

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

CRM-M-10039 of 2015(O&M)

Date of decision: 09.10.2015

Janu Batra and another

-----Petitioner (s)

V/s

State of Haryana & others

-----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.S. Sidhu, Advocate for the petitioner(s).

Mr. Praveen Aggarwal, DAG, Haryana.

Mr. Ajay Kamboj, Advocate for respondents No.2 & 3.

HARI PAL VERMA, J.

The instant petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.104 dated 06.03.2012 under Sections 323/324/34 of the Indian Penal Code, registered at Police Station Mandi Dabwali, District Sirsa and all other subsequent proceedings arising therefrom on the basis of compromise dated 14.11.2014 (Annexure P-2).

This Court vide order dated 27.03.2015 had directed the parties to appear before the trial Court on 06.05.2015 to get their statements recorded with regard to the compromise dated 14.11.2014 (Annexure P-2) and the trial Court was directed to submit its report with regard to

genuineness of the compromise.

Pursuant to the aforesaid order dated 27.03.2015, the parties appeared before Sub Divisional Judicial Magistrate, Dabwali and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 08.05.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure, threat or coercion and the same is genuine.

Mr. Ajay Kamboj, Advocate, has put in appearance on behalf of respondents No.2 & 3 and submits that the complainant has suffered a statement before the learned Magistrate, wherein he stated that he has no objection if the present FIR is quashed.

Learned counsel for the State has also not disputed the factum of compromise entered between the parties.

Apart from the statement of the complainant, 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.

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 No.104 dated 06.03.2012 under Sections 323/324/34 of the Indian Penal Code, registered

at Police Station Mandi Dabwali, District Sirsa and all other subsequent proceedings arising therefrom are quashed, qua the petitioners, in view of the compromise dated 14.11.2014(Annexure P-2).

October 09, 2015
Anjal

(HARI PAL VERMA)
JUDGE