

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

CRM-M- 19206 of 2015

Date of decision:10.09.2015**Dayachand and others****----Petitioner(s)**

V/s

State of Haryana 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.Jagmohan S. Ghumman, Advocate for the petitioners.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Gurvinder Sandhu, Advocate for respondent
No.2/complainant.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.234, dated 21.09.2009, under Sections 148, 149 323, 326 and 452 IPC, registered at Police Station, Khaidki Doula, Distt. Gurgaon (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.05.2015(Annexure P-2).

This Court vide order dated 05.06.2015, has passed the following order:-

“Notice of motion. Mr. Deepak K. Grewal, DAG, Haryana and Mr. Gurvinder Sandhu, Advocate, who are present in Court, accept notice on behalf of respondents No.1 and 2 respectively.

Parties concerned to appear before the trial Court on 24.07.2015 which shall record their statements regarding compromise alongwith an opinion about the genuineness of the same. A report shall be made after doing the needful with further report as to whether any of the accused was declared P.O. At any stage and whether or not any other criminal case is pending against the accused.

Direction to record statements before the trial Court should not be taken to be any acknowledgement of the compromise.

To come up on 10.9.2015”

Pursuant to the aforesaid order 05.06.2015, the parties have appeared before the learned Judicial Magistrate, Ist Class, Gurgaon and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Judicial Magistrate, Ist Class, Gurgaon has forwarded his report dated 03.08.2015, to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

Mr. Gurvinder Sandhu, Advocate, has put in appearance on behalf for respondent No.2/complainant and states that the statement of the complainant, namely, Ramesh Chand @ Ramesh Yadav has been recorded and he has made the statement in support of the compromise.

Learned State counsel has also admitted the factum of compromise entered between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR qua the petitioners.

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) and 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.234, dated 21.09.2009, under Sections 148, 149 323, 326 and 452 IPC, registered at Police Station, Khaidki Doula, Distt. Gurgaon (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.05.2015(Annexure P-2), are hereby quashed.

September 10, 2015

Anjal

(HARI PAL VERMA)
JUDGE