

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

**Criminal Misc. No. M-24992 of 2013
Date of Decision:-10.04.2015**

Ajmer Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

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. Virender Kumar, Advocate
for the petitioners.

Mr. Munish Bansal, Deputy A.G., Haryana.

Mr. B.S. Dhillon, Advocate
for respondent No.3.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of Kalandra registered vide DDR No.32 dated 27.2.2009 (Annexure P-2), under Section 182 IPC, P.S. Indri, District Karnal, on the basis of compromise (Annexure P-3).

Vide order dated 18.12.2013, this Court passed the following order :-

“Since it is a petition for quashing of Calendra on

the basis of compromise, let the statements of the parties be recorded with regard to compromise. Both the parties are directed to be present before the trial Court on 13.1.2014 or any other date convenient to the Court for recording their statements with regard to compromise. The trial Court is directed to record the statements of both the parties to its satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The trial Court is also directed to send a report alongwith statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any case is pending against either of the parties or not before the next date of hearing. The trial Court is also directed to intimate with regard to pendency of any P.O. proceedings against the parties.

To come up on 21.3.2014.”

In compliance of the order dated 18.12.2013, the parties have appeared before the learned Magistrate on 10.1.2014 and 13.3.2015 for getting their statements recorded.

The report received from the learned Judicial Magistrate 1st Classs, Karnal, reveals that the compromise has been effected between the parties without any undue pressure or coercion. The compromise seems tobe genuine and there is no case pending between the parties. There is no pendency of any P.O. proceedings against the parties.

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the complainant and the accused persons.

Heard.

Since the parties have entered into a compromise and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned Kalandra registered vide DDR No.32 dated 27.2.2009 and consequential proceedings would be sheer abuse of the process of law since chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of **Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)**, this petition is accepted and Kalandra registered vide DDR No.32 dated 27.2.2009 (Annexure P-2), under Section 182 IPC, P.S. Indri, District Karnal, and the consequential proceedings arising therefrom are hereby quashed.

April 10, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE