

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
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CRM-M-33601 of 2013

Date of Decision: 08.01.2015

Jinander Singh

---Petitioner

versus

State of Haryana and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Manoj Chahal, Advocate
for the petitioner
Mr. P.S.Sullar, Addl. A.G.Haryana
for the respondent-State
None for respondent No.2

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The petitioners have prayed for quashing of FIR No. 213 dated 17.6.2010 for offence under Sections 323, 427, 452, 506 of the Indian Penal Code (in short "IPC") registered at Police Station, Palam Vihar, Gurgaon, District Gurgaon on the basis of compromise.

The parties were directed to appear before the trial court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Gurgaon wherein it has been reported that statements of respondent No.2(complainant) and 3 have been recorded and statements made by them in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony. It is also reported that the

petitioner has not appeared before the court for getting recorded his statement.

The petitioner was directed to appear before the trial court on 3.3.2014 for getting his statement recorded in respect of compromise. It was reported by the Judicial Magistrate Ist Class, Gurgaon that statement of the petitioner was recorded with regard to compromise.

Mr.P.S.Sullar, Addl. A.G.Haryana has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioner and the fact that the matter has been settled by way of compromise between the parties.

I have heard counsel for the parties and perused the case file.

There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon'ble the Supreme Court of India in *Gian Singh v. State of Punjab and another, 2012(4) R.C.R. (Criminal) 543*.

In view of what has been discussed hereinabove, the petition is allowed and FIR No. 213 dated 17.6.2010 for offence under Sections 323, 427, 452, 506 IPC, registered at Police Station, Palam Vihar, Gurgaon, District Gurgaon and proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

(REKHA MITTAL)
JUDGE

08.01.2015
PARAMJIT