

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.36223 of 2014

Date of Decision: 25.03.2015

Ravinder Pal Singh & anotherPetitioners

Vs

State of Haryana & anotherRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sanjay Jain, Advocate
for the petitioners.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

Mr. Arvinder Arora, Advocate
for respondent No.2.

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

RAJ MOHAN SINGH, J. (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C is for quashing of FIR No.152 dated 11.07.2014, registered under Sections 406, 420, 120-B of the IPC Police Station Naraingarh, District Ambala (Annexure P-1), on the basis of a compromise arrived at between the parties.

This Court on 16.12.2014, passed the following order:-

*“Mr. Arvinder Arora, Advocate, puts
in appearance on behalf of respondent No. 2*

and admits the factum of settlement between the parties. It is further submitted that respondent No. 2, who is present in Court duly identified by her counsel has no objection to the quashing of FIR. Affidavit of Ms. Amrit Varsha – respondent No. 2 is filed in Court, which is taken on Court.

Reply by way of affidavit of Sh. Shamsher Singh Dahiya, HPS, Asstt. Commissioner of Police, Naraingarh on behalf of respondent No. 1 is filed in Court today.

The same is taken on record. In view of above, the parties are directed to appear before the concerned Illaqa Magistrate on or before 24.12.2014. Their statements in respect to the compromise shall be recorded on the said date or any other date subject to the convenience of the Illaqa Magistrate. Report be submitted by the learned Illaqa Magistrate in regard to the genuineness of the compromise whether it has been entered into out of free will and volition of the parties, without any fear, apprehension, undue influence or coercion. It should also be informed whether the petitioners are proclaimed offenders. Any other case pending against the petitioners should also be noted.

Adjourned to 16.01.2015.”

In pursuance of the aforesaid order, both the parties appeared before Sub Divisional Judicial Magistrate, Naraingarh and got recorded their statements. Both the parties have deposed that they have amicably settled their differences by means of compromise. The compromise in question is genuine and result of their volition and sweet will and the same would facilitate both the parties to live in peace and maintain harmony in future.

Sub Divisional Judicial Magistrate, Naraingarh has also recorded opinion to the effect that compromise is genuine and is without any pressure or coercion in any manner. He has endorsed

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the factum of compromise being voluntary in nature. Both the parties through their counsel have reiterated the genuineness of the compromise before this Court also.

Learned Addl. A.G. Haryana, on instructions from ASI Pardeep Kumar, though opposed the prayer for quashing, the factum of compromise could not be denied by them.

Keeping in view the offences involved in the petition, more particularly, the complainant has shown his readiness and willingness to get the matter compromised, this Court is of the opinion that this compromise would serve as everlasting tool in favour of the parties in order to maintain peace and public tranquility.

Resultantly, FIR No.152 dated 11.07.2014, registered under Sections 406, 420, 120-B of the IPC, Police Station Naraingarh, District Ambala (Annexure P-1), along with entire subsequent proceedings, if any, stand quashed.

[Raj Mohan Singh]
Judge

25.03.2015
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