

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

CRM-M-37056 of 2014

Date of decision: 09.04.2015

Naresh Kumar & others

-----Petitioner (s)

V/s

State of Haryana & 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:- None for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.25 dated 22.1.2009 under Sections 147, 149, 448, 379, 506 IPC registered at Police Station Sadar Ballabgarh, District Faridabad (Annexure P1) and consequential proceedings arising therefrom on the basis of compromise dated 20.10.2014 (Annexure P2).

While issuing notice of motion, this Court, vide order dated 31.10.2014, has directed as under:-

“Meanwhile, parties are directed to appear before learned trial Court on November 18, 2014 or any other date convenient to the Court for recording their statements with regard to compromise. 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. Trial Court is also directed to send report along with 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. Trial Court is also directed to intimate with regard to pendency of any P.O. proceedings against the parties.”

Pursuant to aforesaid order dated 31.10.2014, parties have appeared before the learned Judicial Magistrate 1st Class, Faridabad and have got their statements recorded. Learned Magistrate has submitted her report dated 25.11.2014, wherein she has shown her satisfaction that the parties have compromised the matter amongst themselves without any fear or pressure and the compromise has been voluntarily arrived at 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.

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.25 dated 22.1.2009 under Sections 147, 149, 448, 379, 506 IPC registered at Police Station Sadar Ballabgarh, District Faridabad (Annexure P1) and all the consequential proceedings arising therefrom are quashed on the basis of compromise (Annexure P-2).

April 09, 2015
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(HARI PAL VERMA)
JUDGE