

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

**Criminal Misc. No. M-37399 of 2015
Date of Decision: 19.12.2015**

Desh Raj & others

...Petitioner(s)

Versus

State of Haryana & others

...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. Ramesh Sharma, Advocate for
Mr. Sanjeev Kr. Panwar, Advocate
for the petitioners.

Mr. Ashish Yadav, Addl.A.G., Haryana.

Mr. Vipul Sharma, Advocate
for respondents no.2 to 5.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C.
is for quashing of FIR No.190 dated 1.6.2009 under Sections 147,
148, 323, 325, 452, 506 of the Indian Penal Code, 1860 registered
at Police Station Sohna, District Gurgaon, (Annexure P-1) and
consequential proceedings arising therefrom on the basis of
compromise dated 17.10.2015 (Annexure P-3).

This Court vide order dated 2.11.2015 had directed
the parties to appear before the Illaqa Magistrate/trial Court to
get their statements recorded with regard to compromise and the

Illaqa Magistrate/trial Court was directed to submit its report regarding the genuineness of the compromise.

Pursuant to the aforesaid order dated 2.11.2015, the parties have appeared before Sub-Divisional Judicial Magistrate, Sohna and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 8.12.2015 to the effect that the compromise is genuine and the same has been entered into voluntarily and respondents no.2 to 5 have no objection to the FIR being quashed.

At this stage, Mr. Vipul Sharma, Advocate puts in appearance on behalf of respondents no.2 to 5 who are legal heirs of the original complainant Bharat Bhushan who is no more and admits the factum of compromise.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

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), as 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.190 dated 1.6.2009 under Sections 147, 148, 323, 325, 452, 506 of the Indian Penal Code, 1860 registered at Police Station Sohna, District Gurgaon, (Annexure P-1) and

consequential proceedings arising therefrom are quashed, *qua*
the petitioners, in view of compromise dated 17.10.2015
(Annexure P-3).

December 19, 2015
AK

(HARI PAL VERMA)
JUDGE