

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

CRM-M-10174 of 2016
Date of decision: 28.05.2016

Shalini and others

----Petitioner (s)

V/s

State of Haryana and 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:- Mr.Deepender Brar, Advocate
for the petitioners.

Mr.Sulinder Kumar, AAG, Haryana.

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

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.115 dated 19.03.2013 under Sections 420/408/468/467/471/120-B IPC registered at Police Station Khaidki Daula, Distt. Gurgaon and all consequential proceedings arising therefrom on the basis of compromise dated 26.01.2016 (Annexure P-2).

This Court vide order dated 21.03.2016 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 qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 21.03.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Gurgaon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 18.04.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

At this Stage, Mr. Anurag Arora, Advocate has put in appearance on behalf of respondent No.2-complainant and filed his Power of Attorney in Court today which is taken on record. He submits that complainant-respondent No.2, namely, Sita Ram Ola has suffered a statement before learned Magistrate on 12.04.2016 in support of the compromise to the effect that he has willfully compromised the matter with the accused persons and has no objection if the FIR in question is quashed.

Apart from the statement made by complainant/respondent No.2, whereby he has shown no objection to the FIR being quashed, 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.

Learned counsel for the State filed reply on behalf of respondent no.1, by way of affidavit of Jitender Kumar, HPS, Asstt. Commissioner of Police Crime-IV, Gurgaon, The same is taken on record. He has also not disputed the factum of compromise arrived at between the parties.

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.115 dated 19.03.2013 under Sections 420/408/468/467/471/120-B IPC registered at Police Station Khaidki Daula, Distt. Gurgaon and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 26.01.2016 (Annexure P-2).

28.05.2016

Anjal

**[HARI PAL VERMA]
JUDGE**