

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

CRM-M-10486 of 2016
Date of decision: 25.05.2016

Harsh Piplani and another

-----Petitioner (s)

V/s

State of Haryana and 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. Ram Bilas Gupta, Advocate for the petitioners.

Mr.Sulinder Kumar, AAG, Haryana.

Mr.Sandeep Saini, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.196 dated 19.06.2012 under Sections 506/34 IPC and Section 25 of the Arms Act, 1954, registered at Police Station Saran, Distt. Faridabad(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise deed dated 06.02.2016 (Annexure P-2).

This Court vide order dated 29.03.2016 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 genuiness of the compromise.

Pursuant to the aforesaid order dated 29.03.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Faridabad and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 11.04.2016 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.

Statement made by complainant-respondent No.2, namely Kavita Piplani wife of Dr. Harsh Piplani, before the Magistrate on 11.04.2016, reads as under:-

“Stated that a compromise has been effected between me and my husband Harsh Piplani(accused) alongwith Deepak Garg and all the disputes between us are amicably settled vide a memorandum of settlement dated 06.2.2016. I am bound with the terms and condition mentioned in the settlement. This settlement has taken place without any pressure or undue influence of any party. The copy of settlement between me and my husband Harsh Piplani is Ex.D1. I have no objection if the present FIR be quashed by the Hon'ble High Court.”

Apart from the above statement made by complainant/respondent No.2, whereby she 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 respondent No.2 does not dispute the factum of compromise entered into between the parties.

Learned counsel for the State has filed reply on behalf of respondent No.1-State of Haryana, by way of affidavit of Kaptan Singh, HPS, Assistant Commissioner of Police, Mujessar, Faridabad. 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.196 dated 19.06.2012 under Sections 506/34 IPC and Section 25 of the Arms Act, 1954, registered at Police Station Saran, Distt. Faridabad(Annexure P-1) and all the consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 06.02.2016 (Annexure P-2).

25.05.2016
Anjal

[HARI PAL VERMA]
JUDGE