

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

CRM-M-12481 of 2016

Date of decision: 22.07.2016

Narinder Singh and another

----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:- Mr. Naveen Sharma, Advocate for
Mr. Sanjay Verma, Advocate for the petitioners.

Mr. Arun Kumar, AAG, Haryana.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.163 dated 19.07.2014 under Sections 420, 467, 468 and 120-B IPC registered at Police Station Chhapar, District Yamuna Nagar on the basis of compromise dated 25.03.2016 (Annexure P-2).

This Court vide order dated 11.04.2016 had directed the parties to appear before the trial Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 11.04.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhri and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 03.05.2016 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.

Though, today no one is present on behalf of complainant-respondent No.2, namely, Harbaksh Singh son of Amar Singh, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 28.04.2016 to the effect that he has compromised the matter with the petitioners-accused without any pressure, coercion or undue influence and has no objection in case the FIR in question is quashed.

Apart from the statement of the 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 does not dispute the factum of compromise entered 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.163 dated 19.07.2014 under Sections 420, 467, 468 and 120-B IPC registered at Police Station Chhapar, District Yamuna Nagar, is quashed, qua the petitioners, in view of the compromise dated 25.03.2016 (Annexure P-2).

22.07.2016

Anjal

**[HARI PAL VERMA]
JUDGE**