

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

CRM-M-16059 of 2015.
Decided on:-05.02.2016.

Gagan Bhai and another

.....Petitioners.

Versus

State of Haryana and another

.....Respondents.

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:- Ms. Ruchita Garg, Advocate for
Ms. Manisha Garg, Advocate
for the petitioners.

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

Mr. Manu Loona, Advocate
for respondent No.2-complainant.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.161 dated 19.3.2013 under Sections 406 and 420 IPC registered at Police Station Gurgaon Sadar, District Gurgaon (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 28.2.2015 (Annexure P-2).

This Court vide order dated September 24, 2015 had directed

the parties to appear before the trial Court and the trial Court after recording the statements of the complainant/victim, was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the petitioners and Vaibhav Ghai, authorised person on behalf of respondent No.2-complainant company have appeared before learned Additional Chief Judicial Magistrate, Gurgaon and have got their statements recorded. The resolution passed at the Board Meeting of the respondent No.2-company held on May 12, 2011 at Gurgaon, on the basis of which Vaibhav Ghai was authorised to make statement on behalf of respondent-company, was also produced on record before learned Magistrate, Gurgaon. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 24.12.2015 to the effect that the compromise has been made without any pressure and coercion and the compromise is genuine and voluntary.

The factum of compromise between the petitioners and respondent No.2-complainant has not been disputed by learned State counsel as well as learned counsel for respondent No.2.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble

Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.161 dated 19.3.2013 under Sections 406 and 420 IPC registered at Police Station Gurgaon Sadar, District Gurgaon (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise dated 28.2.2015 (Annexure P-2).

February 05, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE