

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

**Criminal Misc. No. M-21434 of 2015 (O & M)
Date of Decision:-22.01.2016**

Rahul and another

...Petitioners

Versus

State of Haryana and others

...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:- Mr. Harish Bhardwaj, Advocate
for the applicants-petitioners.

Ms. Shaveta Sanghi, AAG Haryana.

HARI PAL VERMA J.(Oral)

CRM No.35416 of 2015

Prayer in this application is for addition of Section 307 IPC in the head-note and prayer clause of the petition.

Learned counsel for the applicants-petitioners contends that addition of Section 307 IPC came to his knowledge after going through the reply submitted by the State. He submits that now insertion of Section 307 IPC, therefore, is inevitable.

For the reasons mentioned in the application, Section 307 IPC is ordered to be incorporated in the head-note as well as in the prayer

clause of the petition.

CRM application stands disposed of.

CRM-M-21434 of 2015

Prayer in the present petition is for quashing of FIR No.503 dated 24.12.2014, under Sections 148, 149, 452, 323, 307 and 285 of IPC and under Section 25 of the Arms Act, 1959, registered at Police Station Farakpur, District Yamuna Nagar (Annexure P-1) alongwith all consequential proceedings on the basis of compromise (Annexure P-2).

Vide order dated 6.7.2015, co-ordinate Bench of this Court has directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of the order dated 6.7.2015, the parties have appeared before the learned Magistrate on 13.8.2015 for getting their statements recorded.

The report dated 20.8.2015 received from the learned Judicial Magistrate 1st Class, Yamuna Nagar at Jagadhri, reveals that the compromise has been effected between the parties without any undue pressure.

The statement regarding compromise made by complainant Ashok Kumar before the Judicial Magistrate 1st Class, Jagadhri on 13.8.2015 has been recorded separately, whereas he has shown no objection to the FIR being quashed.

Learned State counsel on instructions from ASI Balbir Singh states that though Section 307 IPC was added in the FIR but in fact there

was no such injury, which may fall within the parameter of Section 307 IPC. Further states that the case of **Narinder Singh and others vs. State of Punjab and another 2014(2) RCR (Criminal) 482** is no bar to decide the present petition for quashing of petition on the basis of compromise. Rather, learned State counsel on instructions from ASI Balbir Singh admit the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned FIR and consequential proceedings would be sheer abuse of the process of law since chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of **Kulwinder Singh and others vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052 (P & H)** and **Gian Singh vs. State of Punjab and others, (2012) 10 SCC 303** this petition is allowed and FIR No.503 dated 24.12.2014, under Sections 148, 149, 452, 323, 307 and 285 of IPC and under Section 25 of the Arms Act, 1959, registered at Police Station Farakpur, District Yamuna Nagar and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

January 22, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE

