

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

CRM-M-2865 of 2016(O&M)

Date of decision: 31.03.2016

Nishant Yadav & 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. Neeraj Sheoran, Advocate for the petitioners.

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

Mr. Vikram Jeet Singh, Advocate
for respondent No.2-complainant.

HARI PAL VERMA, J.(Oral)

Prayer made in the present petition filed under Section 482 Cr.P.C, is for quashing of FIR No. 419 dated 8.11.2015, under Sections 506 and 510 IPC, registered at Police Station Sector 40, District Gurgaon (Annexure P-1) and all the proceedings subsequent arising therefrom on the basis of compromise dated 20.01.2016 (Annexure P-2).

This Court vide order dated 27.01.2016 had directed the parties to appear before learned Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and learned Illaqa Magistrate/trial Court was directed to submit its report qua

the genuineness of the compromise.

Pursuant to the aforesaid order dated 27.01.2016, 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 his report dated 24.02.2016 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.

Mr. Vikram Jeet Singh, Advocate, has put in appearance on behalf of complainant-respondent No.2 namely, *Naresh Kumar Yadav* son of Sh. Mahenderpal and filed Power of Attorney, which is taken on record. He submits that complainant-Naresh Kumar Yadav has suffered a statement before learned Magistrate on 12.02.2016, to the effect that he has not objection if the present FIR is quashed on the basis of compromise effected between the parties.

Apart from the statement of the complainant-respondent No.2-*Naresh Kumar Yadav*, 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 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.419 dated 8.11.2015, under Sections 506 and 510 IPC, registered at Police Station Sector 40, District Gurgaon (Annexure P-1), and all the consequential proceedings arising therefrom, qua the petitioners, are quashed, in view of the compromise dated 20.01.2016 (Annexure P-2).

31.03.2016

Anjal

**[HARI PAL VERMA]
JUDGE**