

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

CRM-M-303 of 2016
Date of decision: 02.06.2016

Deepak

-----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.Sudhir Hooda, Advocate for the petitioners.

Ms.Shaveta Sanghi, AAG, Haryana.

Mr.Abhinav Oberoi, Advocate for
respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition, filed under Section 482, Cr.P.C., is for quashing of FIR No.311/2014, dated 07.05.2014, for the offences punishable under Sections 323, 452, 506 IPC, registered at Police Station, Jhajjar, District Jhajjar, and all the consequential proceedings arising therefrom on the basis of compromise dated 11.12.2015(Annexure P-2).

This Court vide order dated 05.04.2016 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 genuineness of the compromise.

Pursuant to the aforesaid order dated 05.04.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Jhajjar, and got

their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 07.05.2016 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.

Complainant-respondent No.2, namely, Prem son of Dayanand has made a statement before before the Magistrate on 06.05.2016 to the effect that that he has compromised the matter with the accused-petitioner with the intervention of Panchayat and has no objection if the FIR in question is quashed on the basis of compromise.

Apart from the statement made by 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 appearing for respondent No. 2 admits the factum of compromise arrived at 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 Rajiv Kumar, HPS, Dy Superintendent of Police, City Jhajjar. The same is taken on record. He has also not disputed the factum of compromise arrived at between the parties, however, submits that evidence in the case is already over.

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.311/2014, dated 07.05.2014, for the offences punishable under Sections 323, 452, 506 IPC, registered at Police Station, Jhajjar, District Jhajjar and all consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 11.12.2015(Annexure P-2).

02.06.2016
Anjal

[HARI PAL VERMA]
JUDGE