

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30670 of 2015

Date of decision: 19.01.2016

Rashi Kakkar

-----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 Batra, Advocate for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.187, dated 04.06.2012, for the offences punishable under Sections 279, 337 and 338, IPC, registered at Police Station, Sector 5, Panchkula, and all the consequential proceedings arising therefrom, on the basis of the compromise dated 06.09.2015 (Annexure P-2).

This Court vide order dated 10.09.2015 had directed the parties to appear before the learned trial Court on 08.10.2015 to get their statements recorded with regard to the compromise and the learned trial Court was directed to submit its report along with the copies of the statements.

Pursuant to the aforesaid order dated 10.09.2015, the parties have appeared before learned Chief Judicial Magistrate, Panchkula and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 20.10.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same is genuine.

The statement of the complainant-respondent No.2, namely, Gurinder Singh son of Sh. Randhir, reads as under:-

“Stated that I have compromised the matter with the accused Rashi Kakkar, as per the compromise deed Ex.C-1, out of my free will & consent and without any coercion & undue influence and the matter has been compromised with mutual consent of both the parties and the dispute has amicably been resolved between us.

RO & AC
Sd/- Gurinder Singh

Sd/-
(Rahul Bishnoi)
CJM/ 08.10.2015”

Apart from the statement of the complainant-respondent No.2- *Gurinder Singh*, 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.187, dated 04.06.2012, for the offences punishable under Sections 279, 337 and 338 IPC, registered at

Police Station, Sector 5, Panchkula, and all the consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 06.09.2015 (Annexure P-2).

19.01.2016

Anjal

**[HARI PAL VERMA]
JUDGE**