

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

Criminal Misc. No. M-30923 of 2015

Date of Decision:-11.02.2016

Sumitra 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:- Mr. Sat Narain Yadav, Advocate
for the petitioners.

Mr. Manish Bansal, Deputy Advocate General,
Haryana.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.320 dated 18.6.2015 (Annexure P-1), under Sections 323 and 506 read with Section 34 IPC (subsequently Section 307 IPC added), registered at Police Station Sampla, District Rohtak alongwith all consequential proceedings on the basis of compromise.

Vide order dated 24.9.2015, this Court has directed the parties to appear before the Chief Judicial Magistrate, Rohtak

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 24.9.2015, the parties have appeared before the learned Magistrate on 12.10.2015 and get their statements recorded.

The report dated 16.10.2015 received from the learned Chief Judicial Magistrate, Rohtak, reveals that the compromise has been effected between the parties without any undue pressure.

Learned counsel for the petitioners submits that the case of the petitioners falls within the parameters laid down by Hon'ble Supreme Court **Narinder Singh and others vs. State of Punjab and another 2014(2) RCR (Criminal) 482** as the parties belong to the same family and the trial is at the initial stage.

Learned State counsel on instructions from S.I. Narender Singh does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties. However, he submits that so far petitioner No.1 Sumitra is concerned, the police has conducted the investigation and found her innocent.

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 Narinder Singh and others vs. State of Punjab and another 2014(2) RCR (Criminal) 482, 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 accepted and FIR No.320 dated 18.6.2015 (Annexure P-1), under Sections 323 and 506 read with Section 34 IPC (subsequently Section 307 IPC added), registered at Police Station Sampla, District Rohtak and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

February 11, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE