

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 32548 of 2015
Date of decision: 14.01.2016

Sanjeev & others

-----Petitioner (s)

V/s

State of Haryana & 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. J.S. Hooda, Advocate for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

None for respondent No.3-Lokesh.

HARI PAL VERMA, J.

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of case FIR No.592, dated 11.09.2015(Annexure P-1), for offence under Sections 323, 285, 34 IPC and read with Section 24 of the Arms Act, 1959, registered at Police Station, City Palwal, District Palwal and all other subsequent proceedings arising therefrom, on the basis of compromise dated 16.09.2015 (Annexure P-2).

This Court vide order dated 19.11.2015 had directed the parties to appear before the trial Court on 10.12.2015 to get their statements recorded with regard to the compromise and the trial Magistrate was directed to submit its report.

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Pursuant to the aforesaid order dated 19.11.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Palwal and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has forwarded his report dated 11.12.2015 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.

There is no representation on behalf of respondent No.3- Lokesh, however, statement suffered by complainant-respondent No.3, namely, Lokesh, before the learned Magistrate on 10.12.2015 showing his inclination that he has no objection if the impugned FIR is quashed and he willfully compromised the matter with the accused-petitioners without any pressure or undue influence.

Apart from the statement of the complainant-respondent No.3- Lokesh, 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.592, dated 11.09.2015(Annexure P-1), for offence under Sections 323, 285, 34 IPC and

read with Section 24 of the Arms Act, 1959, registered at Police Station, City Palwal, District Palwal and all other subsequent proceedings arising therefrom are quashed, qua the petitioners, in view of compromise dated 16.09.2015 (Annexure P-2).

14.01.2016

Anjal

**[HARI PAL VERMA]
JUDGE**