

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36494 of 2015

Date of decision: 21.01.2016

Parbhu Ram and others

----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. Vikrant Rana, Advocate for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

Mr. Sumit Sangwan, Advocate for respondent No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.66, dated 23.02.2015, for the offences punishable under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station, Tosham, District-Bhiwani (Annexure P-1) and all the consequential proceedings arising therefrom, on the basis of the compromise dated 14.09.2015 (Annexure P-2).

This Court vide order dated 28.10.2015 had directed the parties to appear before the learned Illaqa Magistrate, Tosham on 01.12.2015 to get their statements recorded with regard to the compromise and the learned Magistrate was directed to submit its report along with the statements of the parties about the genuineness of the compromise.

Pursuant to the aforesaid order dated 28.10.2015, the parties have appeared before learned Addl. Civil Judge, (Senior Division), Tosham and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 05.12.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure; it was also reported that besides this, another case FIR No.421, dated 17.12.2010 under Sections 419, 420 and 120-B IPC is also pending against the accused-petitioner No.1-Parbhu Ram.

Mr. Sumit Sangwan, Advocate has put in appearance on behalf of respondent No.2/complainant and states that the complainant-respondent No.2, namely, Shanti wife of Lilu Ram has suffered a statement before the learned Magistrate on 01.12.2015 to the effect that she has no objection if the present FIR is quashed and she is not interested to proceed further in the case.

Apart from the statement of the complainant-respondent No.2-*Shanti*, whereby she 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.66, dated 23.02.2015, for the offences punishable under Sections 420, 467, 468, 471 and 120-B IPC,

registered at Police Station, Tosham, District-Bhiwani (Annexure P-1), and all the consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 14.09.2015 (Annexure P-2).

21.01.2016

Anjal

**[HARI PAL VERMA]
JUDGE**