

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

**Criminal Misc. No. M-38628 of 2015
Date of Decision:-02.02.2016**

Vinod Kumar and others

...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. Anand Chhibbar, Senior Advocate with
Mr. Ranjit Chawla, Advocate
for the petitioners.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.(Oral)

Learned senior counsel for the petitioners contends that there is typographical error in the head note of the petition as Section 06/34 IPC has been typed in place of 406/34 IPC. He requests to correct the said typographical error.

On oral request of learned senior counsel for the petitioners, said typographical error is ordered to be rectified and Section 406/34 IPC be read in place of 06/34 IPC in the head note of the petition.

Prayer in the present petition is for quashing of FIR No.199 dated 10.3.2013, under Sections 420, 467, 468, 471, 506, 120-B, 406/34

IPC, registered at Police Station Karnal Civil Lines, District Karnal (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 6.4.2015 (Annexure P-3).

Vide order dated 17.11.2015, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court 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 17.11.2015, the parties have appeared before the learned Magistrate on 22.1.2016 for getting their statements recorded.

The report dated 27.1.2016 received from the learned Judicial Magistrate 1st Class, Karnal, reveals that the compromise has been effected between the parties without any undue pressure.

The separate statement of complainant-Satnarayan Panchal has also been recorded by the Judicial Magistrate 1st Class, Karnal, on 22.1.2016, wherein he has shown no objection to the FIR being quashed.

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties.

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 ***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.199 dated 10.3.2013, under Sections 420, 467, 468, 471, 506, 120-B, 406/34 IPC, registered at Police Station Karnal Civil Lines, District Karnal and the consequential proceedings arising therefrom are hereby quashed qua petitioners.

The petition is disposed of.

February 02, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE