

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

CRM-M-4066 of 2016

Date of decision: 31.03.2016

Mohit Arora alias Ajay Mehta

----Petitioner (s)

V/s

State of Punjab & 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. Ashish Aggarwal, Advocate for the petitioners.

Mr. R.S Nain, AAG, Punjab.

None for respondent No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.395 dated 16.12.2009 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Division No.4, Jalandhar, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise.

This Court vide order dated 05.02.2016 had directed the parties to appear before learned Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and learned Illaqa Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 05.02.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 11.03.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Though, today no one is present on behalf of respondent No.2-complainant, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 25.02.2016. Statement of complainant-respondent No.2, namely, *Deepak Anand*, reads as under:-

“Stated that the compromise has been effected between me and accused Mohit Arora and I have no objection if the FIR be quashed, which has been filed against accused Mohit Arora. I am giving this statement voluntarily without any pressure and coercion.”

Apart from the statement of the complainant-respondent No.2-*Deepak Anand*, 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 has also not disputed the factum of compromise arrived at 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.395 dated 16.12.2009 under Sections 420, 465, 467, 468, 471

and 120-B IPC registered at Police Station Division No.4, Jalandhar,

District Jalandhar (Annexure P-1), and all the consequential

proceedings arising therefrom, qua the petitioner, are quashed, in

view of the compromise.

31.03.2016

Anjal

[HARI PAL VERMA]

JUDGE