

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

CRM-M-41705 of 2015
Date of decision: 11.05.2016

Parambir and another

----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 Lakhshay Bajaj, Advocate for
Mr. Harkesh Manuja, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

None for respondent No. 2.

HARI PAL VERMA, J.(Oral)

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.777, dated 29.10.2014, under Sections 406 and 420 IPC, registered at Police Station, Sohna, District Gurgaon (Annexure P-1) and all other consequential proceedings arising therefrom, on the basis of compromise dated 03.12.2015 (Annexure P-2).

This Court vide order dated 01.03.2016 had directed the parties to appear before the trial Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 01.03.2016, the parties have appeared before learned Sub Divisional Judicial Magistrate, Sohna and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 06.05.2016 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, namely, *Amit Kumar son of Ram Chander*, but no prejudice would be caused to him, as he has already suffered a statement in support of the compromise before learned Magistrate on 03.05.2016 to the effect that he has compromised the matter with the accused person with his free will and he has no objection in case the FIR in question is quashed.

Apart from the above statement of complainant-respondent No.2, 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, on instructions from ASI-Bani Singh, does not dispute the factum of compromise entered into 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.777, dated 29.10.2014, under Sections 406 and 420 IPC, registered at Police Station, Sohna, District Gurgaon (Annexure P-1) and all subsequent proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 03.12.2015 (Annexure P-2).

11.05.2016

Anjal

**[HARI PAL VERMA]
JUDGE**