

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

**CRM-M-41947 of 2015**  
**Date of decision: 04.03.2016**

**Rajiv Kumar Jhunjunwala**

**----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:- Ms. Promila Nain, Advocate for the petitioner.

Mr. R.S. Nain. AAG, Punjab.

Mr. Vivek Kathuria, Advocate  
for respondent No.2-complainant.

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition is for quashing of FIR No.135 dated 9.10.2014, under Sections 419, 420, 465, 467, 468 and 471 IPC, registered at Police Station Division No.6, Industrial Area, Economic Offence Wing, District Ludhiana and all the proceedings subsequent arising therefrom, on the basis of settlement/agreement dated 13.03.2015 (Annexure P-2) arrived at between the parties before the Mediation & Conciliation Centre of this Court.

This Court vide order dated 11.12.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa

Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 11.12.2015, the parties have appeared before learned Judicial Magistrate Ist Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 16.02.2016 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.

The statement suffered by complainant-respondent No.2, namely, *Lalit Kumar Jhunjunwala* son of Sh. Sham Sunder Jhunjunwala, before the Magistrate on 13.01.2016, reads as under:-

*“With the intervention of mediator Vikar Suri of Mediation and Conciliation Centre of Punjab and Haryana High Court, Chandigarh in Mediation case no.1660-2014 in CRM no.M-37698-2014, a settlement/agreement dated 13.03.2015 was entered between me, my wife Rashmi Jhunjunwala, my brother Rajiv Kumar Jhunjunwala, and my sister in law Sarita Jhunjunwala. As per said settlement/agreement dated 13.3.2015, our all disputes were settled and copy of detailed settlement/agreement dated 13.3.2015 is EX.-C4 which bears my signature and my advocate as well as mediator. The report of mediator is Ex.C-3 and on the basis of said Ex.C4 and Ex.C3, CRM no.M-37698-2014 was decided by Hon'ble Mr. Justice Jaspal Singh vide order dated 23.07.2015 which is Ex.-C2. All the civil cases are pending for today in the Court of Ms. Shagun CJJD Ludhiana, Ms. Mani Arora CJJD Ludhiana and Sh. R.S. Nagpal CJJD Ludhiana. I will withdraw the suits filed by me today. The compromise Ex.C-4 is entered between the parties with my free will and without any type of pressure and I will always be bound myself to comply with the terms and conditions of Ex.-*

*C4 along with my wife for which I am her attorney. I am giving statement subject to the withdrawal of all the civil and criminal litigation by Shri Rajiv Kumar Jhunjhunwala and his other family members in any court throughout India in respect to any movable or immovable property/properties or cash transactions or outstanding in the account books of either of the parties in terms of Ex.C1 to Ex.C4.*

Apart from the statement of complainant-respondent No.2-Lalit Kumar Jhunjhunwala, whereby, he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the settlement/agreement dated 13.03.2015 (Annexure P-2), as arrived between the parties, before the Mediation & Conciliation Centre of this Court. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Mr.Vivek Kathuria, Advocate has put in appearance on behalf of respondent No.2-complainant and filed Power of Attorney in Court today, which is taken on record. He admits the factum of compromise effected between the parties.

Learned counsel for the State also does not dispute 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.135 dated 9.10.2014, under Sections 419, 420, 465, 467, 468 and 471 IPC, registered at Police Station Division No.6, Industrial Area, Economic Offence Wing, District Ludhiana and all the

proceedings subsequent arising therefrom, qua petitioner. are quashed in view of the settlement/agreement dated 13.03.2015 (Annexure P-2) arrived at between the parties before the Mediation & Conciliation Centre of this Court.

However, since the parties have compromised the matter, it is expected that the parties shall remain bound by the terms and conditions, as mentioned in the settlement/agreement dated 13.03.2015 (Annexure P-2) arrived at before the Mediation & Conciliation Centre of this Court,

**04.03.2016**  
**Anjal**

**[HARI PAL VERMA]**  
**JUDGE**