

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

CRM-M-43753 of 2015
Date of decision: 11.03.2016

Mohinder Sharma 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. R.S. Randhawa, Advocate for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

Mr. Ankush Chauhan, Advocate for
Mr. Kunal Dawar, Advocate for
respondent No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.199 dated 2.7.2012 under Sections 288 and 506 read with Section 34 IPC registered at Police Station, Faridabad Kotwali, District Faridabad (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 20.04.2015 (Annexure P-2).

This Court vide order dated 23.12.2015 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 about the genuineness of the compromise.

Pursuant to the aforesaid order dated 23.12.2015, the

parties have appeared before learned Judicial Magistrate Ist Class, Faridabad and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 22.01.2016 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 the complainant-respondent No.2, namely, Kailash Kumar Bhatia, before the Magistrate on 18.01.2016, reads as under:-

“Stated that the present FIR was lodged on my complaint. Now, I have compromised the matter with accused persons namely Mohinder Sharma and Pushpa Sharma. The compromise has taken place voluntarily. I have no objection if the present FIR may be quashed.”

Mr. Ankush Chauhan, Advocate, has put in appearance on behalf of Mr. Kunal Dawar, Advocate for respondent No.2/complainant and filed Power of Attorney, 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 effected 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.199 dated 2.7.2012 under Sections 288 and 506 read with

Section 34 IPC registered at Police Station, Faridabad Kotwali, District Faridabad (Annexure P-1) and all other consequential proceedings arising therefrom, qua the petitioners, are quashed, in view of the compromise dated 20.04.2015 (Annexure P-2).

11.03.2016

Anjal

**[HARI PAL VERMA]
JUDGE**