

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

CRM-M-4890 of 2016

Date of decision: 08.04.2016

Nikhil Narayan

----Petitioner (s)

V/s

State of Punjab & others

-----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. Siddharth Gulati, Advocate for the petitioner.

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

Mr. Sahil Khunger, Advocate for
respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.162 dated 30.4.2014, under Sections 279, 337 and 427 IPC, registered at Police Station Zirakpur (Annexure P-1) and all the proceedings subsequent arising thereto on the basis of compromise dated 12.12.2015 (Annexure P-2) effected in the Lok Adalat, Chandigarh.

This Court vide order dated 10.02.2016 had directed the parties to appear before the Magistrate, where the trial is pending 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 10.02.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Dera Bassi and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded her report dated 17.03.2016 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.

The statement made by the complainant-respondent No.4, namely, *Habib Mohd.* son of Mangal Din before the Magistrate on 10.03.2016, reads as under:-

“Stated that the matter has been compromised between me and accused on 12.12.2015. The compromise is entered into without any pressure, coercion or undue influence. I do not want to pursue the present FIR. I have no objection if the FIR no.162 dated 30.04.2014 under Section 279, 337, 338, 427 IPC, P.S. Zirakpur may be quashed. I have placed on record copy of my driving licence Mark A”

Apart from the statement of complainant-respondent No.4-*Habib Mohd.*, similar statements were suffered by respondents No. 2 and 3, whereby they have 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.

Mr. Sahil Khunger, Advocate, has put in appearance on behalf of respondents No.2 to 4 and filed his Power of Attorney, which is taken on record. He admits the factum of compromise

entered into between the parties.

Learned counsel for the State has also not disputed 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.162 dated 30.4.2014, under Sections 279, 337 and 427 IPC, registered at Police Station Zirakpur (Annexure P-1) and all other consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 12.12.2015 (Annexure P-2) effected in the Lok Adalat, Chandigarh.

08.04.2016

Anjal

**[HARI PAL VERMA]
JUDGE**