

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

CRM-M-5946 of 2016

Date of decision: 22.04.2016

Vishal Verma and another

----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. NPS Kohli, Advocate for the petitioners.

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

Mr. Ashwani Verma, Advocate for respondent
No.2.

HARI PAL VERMA, J.(Oral)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No.24 dated 20.5.2015 under Sections 353, 186, 506, 34 IPC registered at Police Station Sanaur, District Patiala (Annexure P-1) on the basis of compromise dated 11.02.2016 (Annexure P-2).

This Court vide order dated 18.02.2016 had directed the parties to appear before 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 18.02.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Patiala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 18.03.2016 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.2, namely, *Kuldeep Singh* son of Rajinder Singh before the Magistrate on 11.03.2016, reads as under:-

"I have compromised the matter with the accused persons namely Bal Krishan son of Baru Ram and Vishal Verma son of Bal Krishan with the intervention of respectable persons. I have produced the copy of compromise today in court. The original of the above said compromise is attached with quashing petition CRM-M-No.5946/2016 in the Hon'ble High Court by the petitioners/accused. The instant compromise has been effected between us without any undue influence, coercion or pressure, but the same is outcome of our free will and volition. The FIR in question and all proceedings emanating therefrom may be ordered to be quashed as per compromise."

Apart from the statement of the complainant-respondent No.2-*Kuldeep Singh*, 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.

Mr. Ashwani Verma, Advocate has put in appearance on behalf of respondent No.2-complainant and filed Power of Attorney, which is taken on record. He admits the factum of compromise arrived at 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.24 dated 20.5.2015 under Sections 353, 186, 506, 34 IPC registered at Police Station Sanaur, District Patiala (Annexure P-1), is quashed, qua the petitioners, in view of the compromise dated 11.02.2016 (Annexure P-2).

22.04.2016
Anjal

[HARI PAL VERMA]
JUDGE