

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

CRM-M-7810 of 2016

Date of decision: 13.05.2016

Balbir and others

----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. Raj Kapoor Malik, Advocate for the petitioners.

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

Mr. G.P. Singh Ahluwalia, Advocate for
respondent No.2-complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.102 dated 19.8.2013 under Sections 148, 149, 323 and 506 IPC registered at Police Station Kalayat, District Kaithal (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 04.09.2015 (Annexure P-2).

This Court vide order dated 03.03.2015 had directed the parties to appear before the trial Court on 15.03.2016 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 03.03.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Kaithal 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. Report further reveals that the parties belongs to same family and the compromise will promote harmony and brotherhood amongst them and now they will live peacefully in future.

The statement suffered by complainant-respondent No.2, namely, Birbal Baru son of Surta before the Magistrate on 15.03.2016, in support of the compromise is to the effect that he has compromised the matter with the accused persons without any threat, pressure or coercion and now they are living peacefully. He further stated that he has no objection in case FIR in question is quashed

Apart from the statement of the 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 as well as learned counsel appearing for respondent No.2-complainant does not dispute the

factum of compromise entered 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.102 dated 19.8.2013 under Sections 148, 149, 323 and 506 IPC registered at Police Station Kalayat, District Kaithal (Annexure P-1), and all other consequential proceedings arising therefrom are quashed, qua the petitioners, in view of the compromise dated 04.09.2015 (Annexure P-2).

13.05.2016

Anjal

**[HARI PAL VERMA]
JUDGE**