

CRM-M-36115-2016 (O&M)
Date of Decision : 07.10.2016

Anoop and othersPetitioners

versus

State of Haryana and othersRespondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Rajesh Bhateja, Advocate
for the petitioners.

M.M.S. BEDI, JUDGE (ORAL)

Quashing of FIR has been prayed for, on the basis of compromise.

Learned counsel for the petitioners has submitted that the charges has been framed under Section 307 IPC against the petitioners and the witnesses have already been examined.

Learned counsel for the petitioners relies upon the compromise Annexure P-2, which has been entered into between the parties on 01.07.2016 after the witnesses had deposed in the trial Court.

After going into the facts and circumstances of the case and taking into consideration the stage of the case, I do not deem it appropriate to entertain this petition. Disposed of accordingly.

However, it is ordered that the parties will be at liberty to place on record the compromise and prove the same, as per law and even get their statements recorded regarding the matter having been compromised before the trial Court. It will be open to the trial Court to consider the factum of compromise having been arrived at between the parties for granting either benefit of doubt to the accused or to consider

the said circumstance as a mitigating circumstance for any other concession, in accordance with law.

Nothing said in this order will prejudice the right of the petitioners to establish before the trial Court that it is a case where offence under Section 307 IPC is not made out. In case, the trial Court arrives at a conclusion that offence under Section 307 IPC, on merits, is not made out and the offences are compoundable, it will be open to the trial Court to grant any relief.

(M.M.S. BEDI)
JUDGE

07.10.2016
Neha

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No