

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35399-2016 (O&M)

Date of decision: February 28, 2017.

Javed and others

... **Petitioners**

v.

State of Haryana and others

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri D.S. Matya, Advocate for the petitioners.
Shri Surender Kumar, Assistant Advocate General, Haryana.

A.B. Chaudhari, J. (Oral):

In FIR No.38 dated 1.2.2014 under Sections 148, 149, 323, 506, 307 IPC and 25/59 of the Arms Act, registered at Police Station Tauru, the petitioners have filed a petition for quashing of FIR as late as in the year 2016. During the pendency of the petition, in the wake of no interim stay order, the proceedings of trial took place and now as stated by the State Counsel, trial has been completed. Not only that, the State Counsel submits that the petitioners accused persons have also cross examined prosecution witnesses. Since the petitioners have also examined defence witnesses after the examination of the prosecution witnesses, militates against the petitioners in that the petition is filed after delay and laches. Now since the trial has been completed, the question of entertaining the present petition that was filed in the year 2016. Dismissed as infructuous.

Learned counsel for the petitioners submits that in the meanwhile compromise has taken place between the parties and therefore the petition has been filed for recording of compromise. It is not possible to

record compromise in the fact situation. However, the petitioners are at liberty to raise the point of compromise after the judgment is delivered by the trial court at an appropriate stage.

February 28, 2017.
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[**A.B. Chaudhari**]
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No