

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13690-2018

Date of decision: 03.08.2018

Sachin

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. YP Singla, Advocate for the petitioner.

Mr. Vikramjit Singh, Addl. A.G., Haryana.

Mr. Kunal Muthreja, Advocate for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing of FIR No. 571 dated 23.10.2017 (Annexure P-2) under Section 174-A, Police Station Kotwali, District Faridabad and all the consequential proceedings arising therefrom, on the basis of compromise dated 23.03.2018 (Annexure P-3).

Learned counsel for the petitioner has placed on record certified copy of order dated 30.05.2018 of the trial Court, to show that the petitioner has complied with the order dated 17.05.2018, passed by a co-ordinate Bench of this Court by appearing before the trial Court and he has been released on bail. He contends that the petitioner was erroneously declared as proclaimed offender by the trial Court without expiry of statutory period of 30 days as provided under Section 82 Cr.P.C. for publication of notice and declaring a person as proclaimed offender. He has

drawn attention of this Court towards order dated 19.09.2017, whereby proclamation under Sections 82 and 83 Cr.P.C. was ordered to be issued against the petitioner for 10.11.2017, with a direction to the Executing Constable to execute proclamation on or before 07.10.2017, which is less than one month (30 days).

Learned counsel for respondent No. 2, has fairly conceded to the above submission of learned counsel for the petitioner and submits that he has no objection, if, FIR No. 571 dated 23.10.2017 (Annexure P-2) and all the consequential proceedings arising therefrom qua the petitioner is quashed, on the basis of compromise Annexure P-3.

In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony in relations between the parties, this petition is allowed and FIR No. 571 dated 23.10.2017 (Annexure P-2) and all subsequent proceedings arising therefrom, qua the petitioner is quashed.

August 03, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**