

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

254

CRM-M-41877-2017

Date of Decision: October 25, 2018

Bhupender and another

.....Petitioner(s)

versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Amardeep Sheoran, Advocate for the petitioners.

Mr. Satish Saini, DAG, Haryana.

Mr. J.P. Jangu, Advocate for the complainant.

Sudhir Mittal, J. (Oral)

This petition has been filed by the petitioners-Bhupinder and Jai Kumar @ Bhadar under section 482 Cr.P.C. for quashing of FIR No.177, dated 01.10.2017, under sections 147, 149, 323, 365, 506 IPC and section 3(2) (va) of SC ST Act and section 25 of the Arms Act, 1959 , registered at Police Station Siwani, District Bhiwani, on the basis of compromise (Annexures P-2 and P-3)

2. Pursuant to the order passed by this Court, report of the Additional District and Sessions Judge, Bhiwani, has been received wherein on the basis of statements of the petitioners and respondent No.4, it has been submitted that the compromise arrived at between the parties, is without any threat, coercion and inducement and that the same is genuine.

3. Learned State counsel also filed reply on behalf of respondents No.1 to 3, wherein it has been stated that petitioner No.2-Jai Kumar @ Bhadar is a hard core criminal having committed numerous similar type of offences and various FIRs have been registered against him in the State of Haryana. As per the detail mentioned in Para No.5 of the reply, 13 cases of serious nature are stated to have been registered against petitioner No.2.

4. Keeping in view the criminal antecedents of petitioner No.2 and the nature of offences allegedly committed by him, no ground is made out for quashing of the FIR in question qua him. Thus, petition qua petitioner No.2-Jai Kumar @ Bhadar, is dismissed.

5. So far as petition qua petitioner No.1 is concerned, compromise with him has been reported to be genuine having arrived at between him and respondent No.4 without threat, coercion or inducement. He has no criminal back-ground.

6. Accordingly, petition is allowed and FIR No.177, dated 01.10.2017, under sections 147, 149, 323, 365, 506 IPC and section 3(2) (va) of SC ST Act and section 25 of the Arms Act, 1959 , registered at Police Station Siwani, District Bhiwani, alongwith all consequent proceedings having arisen therefrom, is hereby quashed qua petitioner No.1-Bhupinder.

October 25, 2018

sonia arora

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No