

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-9780-2018

Date of decision : 01.05.2018

Jaideep and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.S.S.Momi, Advocate
for the petitioners.

Mr. Surender Singh, AAG, Haryana.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.255 dated 01.06.2017, registered against the petitioners at Police Station Dadri Sadar, District Charkhi Dadri, alleging therein the commission of offences punishable under Sections 148, 149, 323, 427, 506 IPC and Section 3(2) of the Scheduled Castes and Scheduled Tribes Act, is sought to be quashed, on the basis of a compromise arrived at between the petitioners (accused) and respondent nos.2 to 4, i.e. the complainant-injured. Affidavits of the complainants, in support of the compromise, have been annexed as Annexure P-3 with the petition.

Though as per the report of the Registry, no notice could be issued to respondents no.2 to 4 as process fee was not filed by counsel for the petitioners, however, pursuant to the order of this Court dated 08.03.2018, the report of the learned Chief Judicial Magistrate, Charkhi

respondents, Mahesh Kumar and Manoj Kumar were recorded on 30.03.2018 before that Court, with the statement of respondent no.3, Parmod, recorded on 07.04.2018, all in favour of the compromise stated to have been entered into between the parties as reflected in the affidavits of the said respondents (collectively annexed as Annexure P-3 with the petition).

As per the assessment of the learned Chief Judicial Magistrate, the compromise arrived at between the parties is genuine and authentic, without any pressure or undue influence.

The report further states that there is no other person involved in the alleged occurrence whose consent would be required as regards the compromise.

That being so, looking at the nature of the offences alleged in the FIR, with the matter amicably settled between the parties, in order to further the purpose of peace and harmony, the petition is allowed and FIR no.255 dated 01.06.2017, registered at Police Station Dadri Sadar, District Charkhi Dadri, alleging therein the commission of offences punishable under Sections 148, 149, 323, 427, 506 IPC and Section 3 (2) of the Scheduled Castes and Scheduled Tribes Act, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

May 01, 2018.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No