

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

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**CRM-M-38172-2021
Decided on : 16.12.2021**

Sehdev and others

. . . Petitioners

Versus

State of Haryana and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Ravi Kant Sharma, Advocate
for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

Mr. Sumit Kaushik, Advocate
for respondent No. 2-complainant.

VIKAS BAHL, J. (Oral)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 299 dated 06.09.2019 registered under Sections 148, 149, 323 and 506 of the Indian Penal Code, 1860 registered at Police Station Kharkhoda, District Sonipat (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of the compromise deed dated 27.08.2021 (Annexure P-2).

When the matter came up before this Court on 05.10.2021, the following order was passed:-

“This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.299 dated 06.09.2019 (Annexure P-1) registered under Sections 148, 149, 323, 506 of the Indian Penal Code, 1860 at Police Station Kharkhoda, District Sonipat and all the subsequent proceedings arising therefrom on the basis of compromise dated 27.08.2021 (Annexure P-2).

Learned counsel for the petitioners has submitted that all the persons concerned are party to the compromise.

Notice of motion for 16.12.2021.

On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of the respondent-State and Mr. Sumit Kaushik, Advocate appears on behalf of respondent No.2.

The parties are directed to appear before the Illaqa Magistrate/trial Court for recording their statements qua compromise within a period of one month.

The Illaqa Magistrate/trial Court is directed to submit a report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused.*
- 2. Whether any accused is proclaimed offender?*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence?*
- 4. Whether the accused persons are involved in any other FIR or not?*
- 5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.”*

In pursuance of the said order, a report has been submitted by the Sub Divisional Judicial Magistrate, Kharkhoda to the Registrar General of this Court. The relevant portion of the said report is reproduced hereinbelow:-

“A separate duly identified statement of complainant has been recorded to the effect that no compromise has been effected between the parties and complainant wants to proceed further with the present case. Thus, from the statement of complainant, it is clear that he has denied of any compromise being taken place between the parties and he wants to pursue the present case.”

A perusal of the said report would show that as per the complainant, no compromise has been effected between the parties.

In view of the same, the present petition for quashing on the basis of the compromise stands dismissed.

(VIKAS BAHL)
JUDGE

December 16th, 2021
Mehak

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