

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

121+298

CRM-M-7598-2019(O&M)
Date of Decision: 12.05.2022

Dharambir and others

....Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Ishnoor Singh, Advocate for
Mr. Vikram Singh, Advocate for the petitioners.

Mr. R.K. Singla, DAG, Haryana.

Mr. Hardeep Singh Dhillon, Advocate
for respondent No.2.

Mr. Surjit Singh, Advocate for
Mr. Salim, Advocate for respondents No. 3 to 9.

HARINDER SINGH SIDHU, J.

Petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No. 270 dated 01.06.2015, under Sections 148, 149, 323, 452 IPC registered at Police Station Ganaur, District Sonapat and subsequent proceedings arising therefrom on the basis of compromise.

Pursuant to the order dated 20.02.2019 all the five accused and seven injured including the complainant got their statements recorded. Only the statement of Nalim @ Nalin s/o Mehar Singh could not be recorded.

A report dated 29.03.2019 of learned Sub Divisional Judicial Magistrate, Ganaur has already been received in regard to the statements of five petitioners and seven injured including the complainant to the effect that the compromise is without any pressure, coercion or any undue influence and the same is genuine.

Vide order dated 04.03.2022, respondent No.7 was

directed to appear before concerned Trial Court/Illaq Magistrate for getting his statements recorded and the trial Court was to send its report regarding the genuineness of the compromise.

A report dated 02.04.2022 of learned Sub Divisional Judicial Magistrate, Ganaur has been received. As per the report, respondent No.7-Nalim @ Nalin had appeared before learned Sub Divisional Judicial Magistrate, Ganaur. Learned Magistrate has stated that the compromise arrived at between the parties is genuine, voluntary and without any influence, threat and coercion.

In view thereof, the present petition is allowed. FIR No. 270 dated 01.06.2015, under Sections 148, 149, 323, 452 IPC registered at Police Station Ganaur, District Sonapat along with all subsequent proceedings arising therefrom, are hereby quashed qua petitioners.

FIR in this case was registered on 01.06.2015 and the matter has been compromise between the parties on 10.12.2018. During this period, the investigation was carried out. Challan stands presented and the charges have also been framed. Thus this order shall be subject to the petitioners depositing a sum of Rs. 5,000/- (five thousand only) each with the Director PGIMER, Chandigarh Poor Patient Welfare Fund.

[HARINDER SINGH SIDHU]
JUDGE

May 12, 2022
rashmi

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no