

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-13616-2022
Date of decision : 19.05.2022

Akshit Malik

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: None for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

None for respondent no.2.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. for quashing the FIR no.0380 dated 16.07.2021 registered under Sections 323, 325, 34, 341, 506 IPC at Police Station Sector 32-33, Karnal and all the subsequent proceedings arising therefrom on the basis of compromise.

On 27.04.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner as well as respondent No.2 have submitted that in pursuance of the order dated 31.03.2022, the parties could not appear before the trial Court and seek one more opportunity for the parties to appear before the trial Court and record their statements.

The parties are again directed to appear before the Illaqa Magistrate/ trial Court for recording their statements qua compromise within a period of 15 days.

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.*

Adjourned to 19.05.2022.

The statements of the parties be recorded subject to cost of Rs. 5,000/- to be deposited by the petitioner with the High Court Lawyers' Welfare Fund. The said amount would be deposited prior to giving the statements of the parties and the trial Court would only permit them to record their statements after the petitioner shows the receipt of the same.

In case, the cost of Rs.5,000/- is not deposited by the petitioner with the High Court Lawyers' Welfare Fund, then the present petition would be deemed to have been dismissed.

(VIKAS BAHL)
JUDGE

27.04.2022”

In pursuance of the said order, report has been submitted by the Judicial Magistrate Ist Class, Karnal. As per which, parties have not appeared to record their statements qua the compromise.

Case has been called on three occasions. None has appeared on behalf of the petitioner and respondent no.2. It is, thus, apparent that the compromise has not been fructified. Accordingly, the present petition is

dismissed. Liberty is granted to the petitioner to file a fresh petition for quashing of the above said FIR on the basis of compromise in case the compromise is still effectual and the parties are ready to get the statements recorded before the trial Court and are also ready to deposit the costs of Rs.5000/- as imposed vide order dated 27.04.2022.

(VIKAS BAHL)
JUDGE

May 19, 2022
Davinder Kumar

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