

Babloo and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. V.D.Sharma, Advocate, for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

Mr. Sanjeev Kumar Verma, Advocate,
for respondents no.2 to 5.

AMOL RATTAN SINGH, J. (Oral)

This case has been taken up out of turn on the request of learned counsel for the petitioners and respondents no.2 to 5 on the ground that the report of the learned trial court as regards the compromise reached between the parties has already been received.

On 09.08.2021, the following order was passed by this court:-

“Case heard by video conferencing. By this petition, the petitioners seek quashing of FIR No.110, dated 20.05.2021, registered at Police Station City Safidon, District Jind, alleging therein the commission of offences punishable under the provisions of Sections 323/324/341/506/34 of the IPC, as also all other subsequent proceedings arising therefrom, on the basis of a compromise (Annexure P-2), arrived at between the petitioners and respondents no.2 to 5.

Notice of motion be issued to the respondents.

Mr. Neeraj Poswal, AAG, Haryana, accepts notice at the asking of the court on behalf of the respondent State, with Mr.Sanjeev K. Verma, Advocate, appearing for respondents no.2 to 5

and accepting notice. He will file a power of attorney duly executed by the said respondents in his favour well before the next date of hearing. A copy of the petition be supplied to them today itself by learned counsel for the petitioners.

Adjourned to 17.09.2021.

In the meanwhile, the petitioners, as also respondents no.2 to 5 would appear before the learned Area Magistrate/trial Court (as the case may be) up to 21.08.2021, to record their statements. That Court would satisfy itself with regard to the authenticity of the compromise and the fact that it has been arrived at without any kind of undue influence or pressure, and would thereafter send its report to this Court, before the next date of hearing.

That Court would also verify whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required, if this Court comes to the conclusion that the FIR sought to be quashed can be so quashed.

A gazetted officer is directed to file an affidavit stating therein whether there are any other criminal cases registered against the petitioners of like nature or otherwise.”

As per the report of the learned SDJM, Safidon, dated 18.08.2021, the parties appeared before that court on 09.08.2021, with respondents no.2 to 5 having stated that they had settled the dispute amicably with the petitioners and have no objection if the FIR in question is quashed.

They also stated that there is no other person arraigned as an accused other than the four petitioners herein.

The petitioners also made statements before that court as regards the compromise reached, with ASI Balwan Singh also having stated that there was no other person who would be considered to be a victim in the occurrence other than respondents no.2 to 5.

As per the assessment of that court the compromise reached between the parties is of their own free will.

That being so, looking at the nature of the offences alleged to have been committed by the petitioners, and the fact that the matter has been compromised between the petitioners and the aforesaid respondents, the petition is allowed and FIR No.110, dated 20.05.2021, registered at Police Station City Safidon, District Jind, alleging therein the commission of offences punishable under the provisions of Sections 323/324/341/506/34 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

March 03, 2022

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes

Whether reportable: : No