

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-28547-2021 (O&M)
Date of Decision:- 03.8.2022

Ashu and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr.R.S. Mamli, Advocate, for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Ajay Chaudhary, Advocate, for respondent No.3.

GURVINDER SINGH GILL, J. (Oral)

CRM-27524-2022

By way of filing this application, applicants seek permission for deleting the name of Sanjit from the list of petitioners and adding the name of Giani son of Vijay Singh as respondent No.3.

Notice of the application be issued to non-applicant.

At this stage, while Mr. Rajiv Sidhu, DAG, Haryana accepts notice on behalf of respondent-State, Mr. Ajay Chaudhary, Advocate, has put

in appearance on behalf of respondent No.3 and filed power of attorney and has informed that statement of respondent No.3 has already been recorded before the trial Court qua the factum of compromise pursuant to order dated 03.03.2022.

In view of the aforesaid submission, the application is allowed and name of Sanjit stands deleted from the list of petitioners while Giani son of Vijay Singh is impleaded as respondent No.3.

CRM-27525-2022

In view of the reasons mentioned in the application, the same is allowed as prayed for and amended memo of parties is taken on record.

CRM-15363-2022

In view of the reasons mentioned in the application, the same is allowed and the matter is preponed from 17.8.2022 and is taken on Board today.

CRM-M-28547-2021 (O&M)

1. The petitioners have approached this Court seeking quashing of FIR No.0161, dated 03.03.2021, Police Station Sector 10, Gurugram, District Gurugram, under Sections 147, 149, 323, 506 IPC, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 03.03.2022, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.
3. Learned State counsel has informed that in the present case offence punishable under Section 325 IPC was also added subsequently.

4. Report of learned Judicial Magistrate 1st Class, Gurugram, has been received, wherein it has been reported that the statements of petitioners/accused Ashu, Nitesh, Hitesh, Ankit, Rohit, Narender and complainants Shahrukh and Giani have been recorded to the effect that they have compromised the matter amongst themselves.
5. The complainants Shahrukh and Giani in their statement had stated that they have no objection in case the FIR in question is quashed.
6. The learned Judicial Magistrate 1st Class, Gurugram, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
7. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (CrL.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.0161, dated 03.03.2021, Police Station Sector 10, Gurugram, District Gurugram, under Sections 147, 149, 323, 506 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners. It is also clarified that this order shall enure all the offences added subsequently as well.

03.8.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No