

CRM-M-43589-2021
Reserved on : 04.04.2022
Pronounced on: 07.04.2022

Munish.....Petitioner

Vs.

State of Haryana and another.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Naveen Kashyap, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Vishwajeet, Advocate
for respondent No.2.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
295	30.06.2021	Gohana City, District Sonipat	307 IPC and 25 of Arms Act (Later on Section 307 & 285 IPC and 25 of Arms Act deleted and Sections 27/54/59 of Arms Act added)

The petitioner(s), arraigned as accused in the above captioned FIR, has come up before this Court under Section 482 CrPC for quashing of the FIR and all consequential proceedings based on the compromise with the victim(s).

2. During the pendency of the petition, the complainant, who happens to be the petitioner’s wife have compromised the matter, and copy of affidavit of the complainant is annexed with this petition Annexure P-2.
3. After that, the petitioner came up before this Court to quash the FIR, and in the quashing petition, the complainant has been impleaded as respondent. However, the aggrieved persons have not been arraigned as respondents.
4. On 2 Nov 2021, the accused Munish, and the complainant Kalawati, (R-2), the wife of the

accused stated before the SDJM Gohana that there would be no objection if the Court quashes this FIR and consequent proceedings. As per the concerned Court's report dated 02 Nov 2022, the parties consented to the quashing of FIR and consequent proceedings without any threat.

5. As per the allegations made in FIR Annexure P-1, the petitioner-Munish had fired on the brother, sister-in-law, and nephew of his wife, the complainant Kalawati. Except the complainant Kalawati, none of them have been arraigned as respondents, whereas they were in fact the most aggrieved persons.

6. Since all the victims did not state about their no objection to the compromise and also the reasons which led to the compromise, as such this court cannot proceed further in this matter.

7. Given above, the petition is dismissed. However, liberty is reserved to the petitioner to file a fresh petition and there would be no necessity re-examine the Kalawati and Munish, whose statements stand recorded. The copies of the statements alongwith report would suffice.

Petition dismissed in the terms mentioned above, with liberty reserved.

(ANOOP CHITKARA)
JUDGE

07.04.2022
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Whether speaking/reasoned: Yes
Whether reportable: No.