

CRM-M-29292-2023 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-29292-2023 (O & M)

Date of decision: 16.10.2023.

Harmanpreet Singh Walia

..... Petitioner

V/s

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

None for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of FIR No.0123 dated 25.02.2021 under sections 120-B, 406, 420, 467, 468, 471 and 472 IPC registered at Police Station Mujesar, Faridabad and all subsequent proceedings qua the petitioner on the basis of a compromise dated 13.03.2023 (Annexures P-2 and P-3 respectively).

None for the petitioner.

On 02.06.2023, the following order has been passed :-

“The prayer in the present petition under Section 482 Cr.P.C. is for quashing of an FIR No.0123 dated 25.02.2021 (Annexure P-1) registered under Sections 120-B, 406, 420, 467, 468, 471 and 472 IPC, 1860 at Police Station Mujesar, District Faridabad and all other consequential proceedings arising

therefrom, on the basis of compromise dated 13.03.2023 (Annexures P-2 & P-3) entered into between the parties.

The learned counsel for the petitioner submits that in order to live peacefully, parties have entered into compromise on 13.03.2023 (Annexures P-2 & P-3), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion.

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana who is present in Court accepts notice on behalf of respondent No.1-State.

Mr. Yaseen Sethi, Advocate accepts notice on behalf of respondent No.2 and has filed his power of attorney. The same is taken on record. He does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Adjourned to 16.10.2023.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statement on 11.07.2023 with regard to the compromise/settlement dated 13.03.2023 (Annexures P-2 & P-3) by moving an appropriate application or by presenting this order.

The Trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information in a tabulated format:-

- 1. Number of persons arrayed accused in the FIR;*
- 2. Whether any accused is a 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; and*
- 5. *The statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. *The Trial Court is also directed to record the statement of the Investigating Officer so as to know how many victims/complainants are there in the FIR and all the victim/complainant as well as accused are party to the compromise in question.*

The petitioner shall deposit a cost of Rs.25,000/- with the District Legal Services Authority concerned on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrat ”

In pursuance to the aforementioned order, the report of the Judicial Magistrate Ist Class, Faridabad has been received as per which, the complainant-Jai Garg has stated that he does not wish to compromise the matter with the accused.

In view of the above, the present petition stands dismissed.

October 16, 2023
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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