

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CRM-M-49048-2023

Date of Decision : December 05, 2023

SONU ALIAS JAI BHAGWAN

-Petitioner

V/S

STATE OF HARYANA AND ANOTHER

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Avtar Singh, Advocate for
Mr. Anirudh Singh Shera, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

Mr. Paras Chander, Advocate
for the respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks quashing of FIR No.73 dated 12.05.2023, under Sections 147, 149, 452, 506 of the IPC, registered at P.S. Moohana, District Sonipat (Annexure P-1), and, all consequential proceedings arising therefrom, on the basis of a Compromise Deed dated 19.07.2023 (Annexure P-2).

2. This Court, while issuing notice of motion on 29.09.2023, had directed the parties concerned to appear before the learned Illaqa Magistrate/trial Court concerned for recording their respective statements with regard to the compromise.

3. However, a Report bearing No.474 dated 17.11.2023 has been received by this Court, from the learned Additional Chief Judicial

Magistrate, Sonapat, wherethrough, it is informed that none has caused appearance before the learned Magistrate concerned, in compliance of directions (supra) made by this Court, for recording statement(s) qua validity of compromise.

4. Apart from the non-compliance of the directions (supra), what further erupts from a naked eye scrutiny of the record available before this Court, is that, though the FIR (supra) was registered against eight persons and the compromise (Annexure P-2) also exonerates the said eight persons, however, only one of those eight persons, i.e. the present petitioner, has approached this Court for quashing of the FIR (supra). Consequently, in the absence of remaining persons being arrayed as petitioners herein, who have been nominated as accused in the FIR (supra) and qua whom also, Compromise (Annexure P-2) has been executed, this Court does not deem it appropriate to allow the instant motion, thereby seeking partial quashing of FIR (supra) qua the present petitioner only.

5. For all the reasons (supra), the instant petition is **dismissed** at this stage, however, liberty is reserved to the petitioner to re-access this Court along with remaining accused, through an appropriate motion, thereby seeking complete quashing of the FIR (supra).

December 05, 2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No