

**124 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-58323-2022 (O&M)

Date of Decision: 04.09.2023

Sunny and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Suresh Kumar Kaushik, Advocate
for the petitioners.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Mr Dharamvir Sharma, Advocate,
for respondents No.2 & 3.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.194 dated 26.05.2019 under Sections 148, 201, 307 & 323 read with Section 149 & 34 of the Indian Penal Code, 1860 (for short, '*the IPC*') at Police Station Purani Sabzi Mandi, District Rohtak (**P-1**) along with all consequential proceedings arising therefrom on the basis of compromise dated 25.11.2022 (**P-2**), entered into between the parties i.e. petitioners as well as respondents No.2 & 3.

(2) Allegations in brief are that on 25.05.2019 at about 5.00 pm, accused Sunny, Honey, Sawan and Gourav armed with respective weapons attacked complainant Sunil @ Kalu and his brothers Sunder as well as Sushil. Accused Gourav caused injuries on the head of Sunder.

(3) As per affidavit dated 31.05.2023 filed by Dr. Ravinder, H.P.S, Deputy Superintendent of Police, Rohtak, accused Gaurav is involved in following other FIRs:-

- “1. FIR No. 123 dated 22.03.2020 under Sections 147, 149, 323, 506 IPC, Police Station Old Subzi Mandi, Rohtak.*
- 2. FIR No. 209 dated 17.05.2020 under Sections 147, 149, 323, 427, 506 IPC, Police Station Old Subzi Mandi, Rohtak.*
- 3. FIR No. 36 dated 17.01.2011 under Sections 457 and 380 IPC, Police Station City, Rohtak.*
- 4. FIR No. 387/19 under Section 307, 186, 313, 34 IPC and Sections 25 of Arms Act, Police Station Shivaji Colony, Rohtak.”*

(4) In view of the factual position, noticed here-in-above, when this Court was not inclined to accept prayer, ld. counsel for the petitioners, on instructions, does not press the petition, at this stage.

(6) Disposed off accordingly.

(7) Needless to say that petitioners would be at liberty to raise their pleas before the Court concerned in accordance with law, if so advised.

04.09.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

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