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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(287)

CRM-M-3652-2024 (O & M)
Date of Decision: 07.05.2024

Lakhwinder @ Lucky

... Petitioner

Versus

State of Haryana and anr.

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Mandeep Kaur, Advocate,
for Mr. C.S. Rana, Advocate,
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

None for respondent No.2.

JASJIT SINGH BEDI, J.

On 23.01.2024, the following order was passed:-

“The present petition has been filed for quashing of an FIR No.338 dated 27.08.2023 under Sections 406, 420, 506 IPC and Sections 467, 468, 471 IPC and Sections 10 and 20 of the Immigration Act (added later on) registered at Police Station Thanesar City, District Kurukshetra and all other consequential proceedings arising therefrom, on the basis of compromise dated 05.01.2024 (Annexure P-2), entered into between the parties.

Learned counsel for the petitioner submits that in order to live peacefully, parties have entered into compromise (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 07.05.2024.



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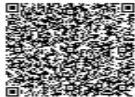
Mr. Ravish Kaushik, Addl.A.G., Haryana, accepts notice on behalf of respondent No.1-State. Mr. Vikrant Pujara, Advocate, accepts notice on behalf of respondent No.2. He does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statement with regard to compromise/settlement (Annexure P-2) on 20.02.2024 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 form:-.

- 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/any other officer aware of the facts of the case so as to know how many victims/complainants are there in the FIR and whether 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 Punjab and Haryana High Court Bar Association,



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Chandigarh, Account No.65035682434, SBI High Court Branch, IFSC:-SBIN0050306 concerned on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaqa Magistrate.”

According to the report dated 08.04.2024 received from the Chief Judicial Magistrate, Kurukshetra, neither of the parties have appeared before the Court to record their statement in terms of the aforementioned order and therefore, the present petition stands dismissed at this stage. However, the petitioner shall be at liberty to approach this Court once again, if and when, a proper compromise is arrived at between the parties.

(JASJIT SINGH BEDI)
JUDGE

May 07, 2024
sukhpreet

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No