



CRM-M-10085-2024

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**274 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-10085-2022

Date of Decision: 26.11.2024

Yogesh Chauhan

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Dhanajay Singh, Advocate for
Mr. Rohit Pundir, Advocate, for the petitioner.
Mr. Ramesh Kumar Ambavta, AAG, Haryana.
Mr. Sandeep Saini, Advocate, for respondent No.2.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the FIR No.103 dated 23.02.2023, registered under Sections 323, 341, 379-A and 506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, at Police Station Jagadhari City, District Yamunanagar and all the subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. In pursuance to the direction issued by this Court vide order dated 30.07.2024, learned Additional District and Sessions Judge, Yamuna Nagar has sent his report dated 10.10.2024. Alongwith the report, he has annexed the original statement of SI Janak Raj, wherein, it has been mentioned that there were six accused persons against whom the present FIR was registered, however, final report under Section 173 Cr.P.C. was filed against three accused i.e. Yogesh, Ajay Chaudhary and Anis @ Bhura.

However, present petition has been filed by one accused i.e. Yogesh and no

compromise has been effected by the complainant with non-petitioner/accused, who are not party before this court.

3. Under these circumstances, it is clear that the compromise effected is a partial one. Hon’ble Division Bench of this Court in CRM-M-48043-2023 titled as Rakesh Das vs. State of Haryana and another, decided on 12.11.2024, has held that no quashing should be allowed on the basis of the partial compromise and thus, the present petition cannot be accepted and as such the same is disposed of with liberty to the parties to avail their remedy as per law.

26.11.2024	(RAJESH BHARDWAJ)
sharmila	JUDGE
Whether Speaking/Reasoned	: Yes/No
Whether Reportable	: Yes/No