

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-13578-2024 (O&M)
Date of Decision:- 25.04.2024

Himanshu and others ... Petitioners
Versus
State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parveen Kaushik, Advocate, for the petitioners.
Mr. Ramender Singh Chauhan, AAG, Haryana.
Mr. Virender Soni, Advocate for
Ms. Pinki Devi, Advocate, for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioners-Himanshu, Jagmender @ Dhola, Rohit @ Kala, Sukhbir Singh and Dinesh have approached this Court seeking quashing of FIR No.0735, dated 19.11.2023, Police Station Shivaji Colony, District Rohtak, under Sections 148, 149, 323, 325, 307, 506 IPC (Section 201 IPC added and Section 307 IPC deleted later on), and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 18.03.2024, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

3. Report of learned Judicial Magistrate 1st Class, Rohtak, has been received, wherein it has been reported that the statement of petitioners/accused Himanshu, Jagmender @ Dhola, Rohit @ Kala, Sukhbir Singh and Dinesh and complainant/victim Nitin Kumar and Karambir have been recorded to the effect that they have compromised the matter amongst themselves.
4. Complainant/victim Nitin Kumar and Karambir in their statements had stated that they have no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Rohtak, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.0735, dated 19.11.2023, Police Station Shivaji Colony, District Rohtak, under Sections 148, 149, 323, 325, 307, 506 IPC (Section 201 IPC added and Section 307 IPC deleted later on) and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners.

25.04.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No