

CRM-M-20802-2024

2024:PHHC:058855

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

CRM-M-20802-2024

Date of Decision:-30.04.2024

BALWINDER SINGH

.....Petitioner

Versus

STATE OF HARYANA & OTHERS

.....Respondents

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Ms. Gauri Handa, Advocate with
Mr. Dharam Bir Bhargav, Advocate
for the Petitioner.

Mr. Kanwar Sanjiv Kumar, AAG Haryana.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this 2nd petition under Section 482 Cr.P.C. is for quashing of the FIR No.154/2007 dated 27.05.2007 (Annexure P-1) registered under Sections 420, 406, 409, 415, 468, 471, 34, 120-B IPC at Police Station DLF City Phase-II, Gurgaon on the basis of the compromise which has been arrived at between the parties in the High Court of Bombay vide orders dated 01.05.2012 and 11.12.2015 (Annexures P-4 and P-8) along with all subsequent proceeding arising therefrom.

2. The learned counsels for the petitioner/complainant contend that in terms of the compromise entered into between the parties, the complainant was at liberty to file a petition for quashing of the FIR. Reliance is placed on the order of this Court in the case of **Akash Bansal and others**

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Versus State of Haryana, CRM-M-36941-2019, decided on 20.01.2020.

3. I have heard the learned counsel for the parties.
4. The petition is indeed strange inasmuch as the complainant has come for quashing of the FIR even though the accused ought to have filed the said petition as the FIR stands registered against them. On being asked as to why the accused persons could not file a petition for quashing of the FIR, no satisfactory answer has been given. Further, in the order of Akash Bansal (supra), the petitioners were the complainant and the accused. In the instant case, only the complainant has filed a petition for quashing and not the accused.
5. In view of the above, the present petition stands dismissed.
6. However, the accused are at liberty to approach this Court by way of filing of an appropriate petition for quashing of the FIR on the basis of a compromise if so advised.

(JASJIT SINGH BEDI)
JUDGE

30.04.2024
Jitesh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No