

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

250

CRM-M No. 44768-2017

Date of Decision: 12.03.2024

Nitin and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Ajay Saini, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR, J.(ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 124 dated 13.02.2012 (Annexure P-1) registered under Sections 324/307/34 IPC at Police Station Samalkha, Panipat, District Panipat and all consequential proceedings arising therefrom including order of conviction dated 26.08.2014 as well as order of sentence dated 09.09.2014 (Annexure P-2) passed by Juvenile Justice Board, Panipat on account of compromise dated 25.10.2017 arrived at between the parties.

2. Learned counsel for the petitioner *inter alia* contends that during the pendency of the appeal before the learned lower Appellate Court, the parties have effected a compromise on 25.10.2017 and the petitioners as well as injured victim were students and of tender age at the time of incident. The petitioners were therefore declared juvenile and the concerned jurisdictional court has convicted the petitioners by completely ignoring the medical record. The perusal of the medical evidence clearly indicates that no

only to attract the offence to breach the threshold of Section 326 of Indian Penal Code.

3. Learned counsel for the petitioner wishes to withdraw the present petition and seeks liberty to raise the specific pleas before the learned lower Appellate Court.

4. Dismissed as withdrawn with liberty aforesaid.

5. The learned lower Appellate Court is directed to consider the medical record and decide the appeal in accordance with law.

12.03.2024

Rajeev (rvs)

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No