

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25623-2024 (O&M)

Reserved on: 18.07.2024

Date of Pronouncement: 26.07.2024

Ram Kishan & another
... Petitioner(s)
Versus
State of Haryana and another
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Alok Mittal, Advocate
for the petitioner(s).

Mr. Aashish Bishnoi, DAG, Haryana.

Mr. Ishwinderpal Singh, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
365	3.11.2022	Ballabgarh Sadar, District Faridabad	148, 149, 323, 506 IPC and 25 Arms Act.

The petitioner(s), arraigned as accused in the above captioned FIR, have come up before this Court under Section 482 CrPC for quashing of the FIR and all consequential proceedings based on the compromise with the aggrieved person(s).

2. During the pendency of the criminal proceedings, the accused and the aggrieved person(s) have compromised the matter, and its copy is annexed with this petition as Annexure P-3.

3. After that, the petitioner(s) came up before this Court to quash the FIR, impleading the aggrieved persons as respondent no.2.

4. Pursuant to order of this Court dated 20.5.2024, the complainant-aggrieved person(s) (R-2) appeared before the Judicial Magistrate Ist Class, Faridabad and stated that there would be no objection if the Court quashes this FIR and consequent proceedings. As per the concerned court's report dated 27.5.2024, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. However, an analysis of the FIR reveals that there are specific allegations against the petitioners that they along with co-accused had given beatings to the wife and daughter of the complainant also and had also misappropriated the gold chain of his wife. However, the petitioners have neither arraigned them as respondent(s) in this case nor their statements have been recorded before the trial Court/Illaqa Magistrate.
6. Since all the victims did not state their no objection to the compromise and also the reasons which led to the compromise, as such this Court cannot proceed further in this matter.
7. Given above, the petition is dismissed. However, liberty is reserved to the petitioners to file a fresh petition and there would be no necessity to re-examine the complainant-respondent no.2 and the accused, whose statements stand recorded. The copies of the statements along with report would suffice.

Petition dismissed in the terms mentioned above, with liberty reserved.

(ANOOP CHITKARA)
JUDGE

July 26, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No