

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29360-2023 (O&M)

Reserved on: 06.08.2024

Date of Pronouncement: 30.08.2024

Rambir Singh & others
... Petitioner(s)
Versus
State of Haryana & others
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Davneet Sangwan, Advocate
for the petitioner(s).

Mr. Aashish Bishnoi, DAG, Haryana.

Mr. Ankit Chauhan, Advocate
for respondent nos.2 to 5.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
221	19.9.2022	Radaur, District Yamunanagar	148, 149, 323, 324, 506 IPC (326 IPC added later on.

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-2.
3. After that, the petitioner(s) came up before this Court to quash the FIR, impleading the aggrieved persons as respondent nos.2 to 5. Accordingly, vide order dated 9.7.2024, this Court directed the parties to appear before the concerned trial Court/Illaq Magistrate/Duty Magistrate and get their statements recorded as per the compromise so arrived at between them.
4. Pursuant to order of this Court dated 9.7.2024, trial Court report dated 3.8.2024 has been received, as per which, the concerned Court has submitted that the matter

has been settled voluntarily between the parties without any coercion or undue influence. The report of the concerned Court reads as under:-

Name of the reporting Court	Judicial Magistrate Ist Class, Yamuna Nagar
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Criminal Case no. before trial Court	NoCIS No.CHI-2089-2022
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1.	Names of the complainant/ victims(s)/ aggrieved persons(s)	Amrao Singh, Robin, Kuldeep, Raj Dulari, Yuvraj
2.	Dates on which the statement(s) of the complainant/ victims(s)/ aggrieved persons(s) were recorded	25.07.2024
3.	Has the identity of the complainant/ victims(s)/ aggrieved persons(s) been verified?	Yes
4.	Whether all the victims/ all the aggrieved persons have compromised the matter?	Yes
5.	Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?	No
6.	Names of the accused person(s)	Rambir, Bhupinder, Ombir, Ajay, Urmila, Arti, Mohan
7.	Dates on which the statement(s) of the accused persons(s) recorded	19.07.2024
8.	Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.	Yes
9.	Whether proclamation proceedings are pending against any accused?	No
10.	Has the police report been filed or not?	Yes
11.	Notice of accusation /Charges have been framed or not?	No
12.	Sections of statutes invoked in the matter	Final report was submitted u/s 148, 149, 323, 324, 326, 504 IPC
13.	Whether the court is satisfied with the genuineness of the compromise?	Yes

5. However, the statements of the complainant/aggrieved person(s) (Respondent nos.2 to 5) are not attached with the report. Moreover, an analysis of the FIR as well as the report of the concerned Magistrate reveals that there are specific allegations against the petitioners that they had also given beatings to Yuvraj, but, the petitioners have neither arraigned him as respondent in this case nor his statement has 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-victim(s) 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

August 30,2024
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Whether speaking/reasoned	:	Yes
Whether reportable	:	No