

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

293

CRM-M-45953-2023

Date of decision: 22.04.2024

Deepak Malik and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. DPS Bajwa, Advocate
for the petitioners.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Rahul, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.258 dated 20.08.2023 under Sections 323, 365, 506 of the IPC (Section 377 of the IPC added lateron), Section 3(1)(r), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) registered at Police Station I.M.T. Rohtak, District Rohtak and all consequential proceedings arising out of the same, on the basis of compromise dated 11.09.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 20.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.03.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Additional District and Sessions Judge, Rohtak, in pursuance of the directions of

this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed copies of statements of the parties alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Additional District and Sessions Judge, Rohtak and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed qua petitioners.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

22.04.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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