

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-44263-2024 (O&M)

Reserved on: 04.10.2024

Date of Pronouncement: 16.10.2024

Ankur Maheshwari and others

... Petitioner(s)

Versus

State of Haryana and others

...Respondent (s)

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present:- Mr. Pardeep Kumar, Advocate for  
Mr. Karan Bhardwaj, Advocate  
for the petitioners.

Mr. Yuvraj Shandilya, AAG, Haryana.

Mr. Amtiaz Sandhu, Advocate  
for respondents No. 2 to 6.

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**ANOOP CHITKARA, J.**

| FIR No. | Dated      | Police Station                         | Sections                                                              |
|---------|------------|----------------------------------------|-----------------------------------------------------------------------|
| 681     | 01.07.2019 | Jagadhari City, District Yamuna Nagar. | 25 and 54 of Arms Act, 1959 and Sections 285, 323, 336 and 506 of IPC |

The petitioners, arraigned as accused in the above captioned FIR, have come up before this Court under Section 528 BNSS, 2023 for quashing of the FIR and all consequential proceedings based on the compromise with the aggrieved persons.

2. During the pendency of the criminal proceedings, the accused and the aggrieved persons have compromised the matter, and its copy is annexed with this petition as Annexure P-2.
3. After that, the petitioners came up before this Court to quash the FIR, impleading the aggrieved persons as respondent nos. 2 to 6.
4. Pursuant to order of this Court dated 06.09.2024, the aggrieved persons (Respondent nos. 2 to 6), appeared before the Addl. Chief Judicial Magistrate, Yamuna Nagar at Jagadhri and stated that there would be no objection if the Court quashes this FIR and consequent proceedings. The relevant extract of the report of the concerned Court reads as follows:

|                             |                                                                |
|-----------------------------|----------------------------------------------------------------|
| Name of the reporting Court | Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri |
|-----------------------------|----------------------------------------------------------------|

|                                      |               |
|--------------------------------------|---------------|
| Criminal Case no. before trial Court | CHI/2920/2020 |
|--------------------------------------|---------------|

|     |                                                                                                                 |                                                                           |
|-----|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 1.  | Names of the complainant/ victims(s)/ aggrieved persons(s)                                                      | Gaurav @ Munna                                                            |
| 2.  | Dates on which the statement(s) of the complainant/ victims(s)/ aggrieved persons(s) were recorded              | 20.09.2024                                                                |
| 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)                                                                                  | i) Sanjay Kumar Maheshwari ii) Sahil Maheshwari and iii) Ankur Maheshwari |
| 7.  | Dates on which the statement(s) of the accused persons(s) recorded                                              | 20.09.2024                                                                |
| 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?                                                          | Yes                                                                       |
| 12. | Sections of statutes invoked in the matter                                                                      | 323, 285, 336, 506 of IPC and Section 25 Arms Act, 1959                   |
| 13. | Whether the court is satisfied with the genuineness of the compromise?                                          | Yes                                                                       |

ANALYSIS & REASONING:

5. An analysis of the statements recorded before the Magistrate reveals that respondents no.3 to 6, who have also been given beatings by the petitioners-accused, have not appeared before the concerned 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 and the accused, whose statements stand recorded. The copies of their statements along with report would suffice.

**Petition dismissed in the terms mentioned above, with liberty aforesaid.**

**(ANOOP CHITKARA)**  
**JUDGE**

October 16, 2024  
AK

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