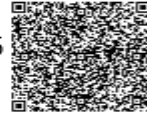


2024:PHHC:071025



298 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54034-2022

Date of Decision : May 20, 2024

Indu Rana and Another

.....Petitioners

Vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Kulwinder Singh Radhour, Advocate
for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the FIR No. 362 dated 04.09.2021 under Sections 406, 420 IPC registered at Police Station Baldev Nagar, District Ambala on the basis of compromise dated 17.01.2021.

On 26.02.2024, the following order was passed :-

“CRM-8179-2024

The instant application is to recall the order dated 12.01.2024 and for restoration of the main case, which was dismissed for non-prosecution.

For the reasons stated in the application, the same is allowed and the order dated 12.01.2024 is recalled and the main case is ordered to be restored to its original number and taken up for hearing for today.

CRM-M-54034-2022 (O&M)

The Prayer in this petition under Section 482 Cr.PC is for the quashing of the FIR No.362 dated 04.09.2021 under Sections 406, 420 IPC registered at Police Station Baldev Nagar, District Ambala (Annexure P-1) and all the subsequent proceeding arising therefrom on the basis of compromise dated 17.01.2021 entered into between the parties.

Learned counsel for the petitioners submits that in order to live peacefully, parties have entered into Compromise dated 17.01.2021 according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 20.05.2024.

Ms. Ramta K. Chaudhary, DAG, Punjab accepts notice on behalf of respondent No.1-State of Punjab.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statements on 13.03.2024 with regard to the compromise dated 17.01.2021 (Annexure P-2) by moving an appropriate application or by presenting this order. The Trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is a proclaimed offender;*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence;*
- 4. Whether the accused persons are involved in any other FIR or not; and*

5. *The Trial Court is also directed to record the statement of the Investigating Officer so as to know how many victims/ complainants are there in the FIR and all the victims/complainant as well as accused are party to the compromise in question.*

The petitioners shall deposit a cost of Rs.25,000/- with the The Punjab and Haryana High Court Bar Association, Account No.65035682434, State Bank of India, High Court Branch, IFSC : SBIN0050306 on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate.”

In deference to the aforementioned order, while the petitioners appeared and got recorded their statements in support of the compromise, the complainant has not appeared to get his statement recorded.

In view of the above, the present petition is dismissed.

However, the petitioners are at liberty to file a fresh petition if and when a proper settlement is arrived at with the complainant.

May 20, 2024
satish

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO