

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55343-2023

Date of decision :04.03.2024

SUNIL AND ORS

... Petitioner(s)

Versus

STATE OF HARYANA AND ORS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. A.S. Prajapati, Advocate
for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana.

None for respondent Nos.2 to 4.

JASJIT SINGH BEDI, J. (ORAL)

On 06.11.2023, the following order was passed:-

“The prayer in the present petition under Section 482 Cr.P.C. is for quashing of an FIR No.078 dated 25.03.2017 (Annexure P-1) registered under Sections 323, 325, 506, 148, 149 IPC at Police Station Kalanaur, District Rohtak, Haryana and all other consequential proceedings arising therefrom, on the basis of compromise dated 06.10.2023 (Annexure P-2) entered into between the parties.

The learned counsel for the petitioners submits that in order to live peacefully, parties have entered into compromise on 06.10.2023 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion.

Mr. Ravish Kaushik, Addl. A.G., Haryana who is present in Court accepts notice on behalf of respondent No.1-State.

Mr. R.P. Sharma, Advocate accepts notice on behalf of respondent Nos.2 to 4 and has filed his Vakalatnama. The same is taken on record. He does not

dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Adjourned to 04.03.2024.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statement on 18.01.2023 with regard to the compromise/settlement dated 06.10.2023 (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 in a tabulated format:-

- 1. Number of persons arrayed 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 statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. 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 victim/complainant as well as accused are party to the compromise in question.*

The petitioners shall deposit a cost of Rs.25,000/- (collectively) with the District Legal Services Authority concerned on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate.”

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A report dated 03.02.2024 of the JMIC, Rohtak has been submitted as per which, none has appeared to get their statements recorded in support of the aforementioned order.

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

(JASJIT SINGH BEDI)
JUDGE

04.03.2024
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No