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**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.6269 of 2025
Date of Decision: 03.02.2025**

Rakesh

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Pankaj Kaushik, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for quashing of FIR No.0255, dated 02.05.2024, under Sections 389, 384, 379-B and 120-B of IPC, 1860, registered at Police Station Old Industrial Panipat, Haryana (Annexure P-1) on the basis of compromise (Annexure P-2) effected between the parties and further to quash all the subsequent proceedings arising out of the above FIR qua the present petitioner.

2. It has been contended by learned counsel for the petitioner that the petitioner was prosecuted in the impugned FIR No.0255, dated 02.05.2024. He has submitted that now the petitioner has resolved the dispute with complainant-respondent No.2 and thus the compromise has been arrived at between both of them vide compromise dated 18.10.2024 which has been appended with the petitioner as Annexure P-2. He has



thus submitted that in view of the attending facts and circumstances, as the matter has been compromised between the petitioner and the complainant, the present FIR be quashed.

2. Notice of motion to official respondent No.1.

3. On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana appears and accepts notice on behalf of respondent No.1-State. He has submitted that besides the petitioner, there are other accused in the FIR, however the present petition has been filed only by one of the accused i.e. the petitioner. He has thus submitted that the compromise alleged is a partial compromise and hence the petition filed by the petitioner is not maintainable in view of the law laid down by the Hon'ble Division Bench of this Court in **CRM-M48043-2023** titled as '*Rakesh Das vs. State of Haryana and another*', decided on 12.11.2024.

4. The Court has heard learned counsel for the petitioner and perused the record.

5. It is apparent that the petitioner is not the only accused in the present FIR and there are other accused as well in the FIR, who are not part of compromise allegedly arrived between the petitioner and complainant. Under these circumstances, it is clear that the compromise effected is a partial one. Hon'ble the Division Bench of this Court in **CRM-M48043-2023** titled as *Rakesh Das vs. State of Haryana and another*, decided on 12.11.2024, has held that no quashing should be allowed on the basis of the partial compromise and thus, the present petition cannot be accepted.



6. Hence, the present petition is dismissed. However the petitioner would be at liberty to avail alternative remedy as available to him in accordance with law.

03.02.2025

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(RAJESH BHARDWAJ)
JUDGE

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