

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

243

CRM-M-13968-2023 (O&M)

Date of Decision: 10.01.2025

RAVI @ RAVI KUMAR AND ORS.

.... PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

.... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr.Raghav Sharma, Advocate
for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Ms. Kashish Sahni, Advocate
for respondents No.2 to 9.

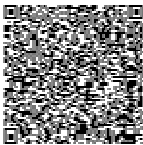
HARPREET SINGH BRAR J.(ORAL)

1. This petition has been filed under Section 482 Code of Criminal Procedure, 1973 seeking quashing of FIR No.220 dated 22.04.2018, under Sections 148, 149, 323, 324 of the Indian Penal Code 1860 (for short 'IPC') (Section 201 of IPC and Section 3(2)(V-a) SC/ST Act added later on), registered at Police Station Pehowa, District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 17.12.2022 (Annexure P-2).

2. The following order was passed on 11.12.2024:

“Counsel for the petitioners and counsel for the respondents submits that petitioner No.9 as well as respondent No.9 are residing out of India, therefore,

2025:PHHC:002818



they be permitted to appear through video conferencing. They further submit that they shall not claim any prejudice in this regard.

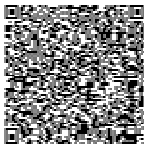
*Given above, the petitioners and the private respondents, and all other victim(s), if not arraigned as respondents, to appear before the concerned Trial Court/Illqa Magistrate/Duty Magistrate **on or before 20.12.2024**, for getting their statements recorded with regard to the compromise arrived at between them. Before recording their statements, the Ld. Judge should ensure the following aspects and send the copies of the statements and the report in the following format, preferably before the next date fixed in this court:*

<i>Name of the reporting Court</i>	
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<i>FIR No.</i>	<i>Dated</i>	<i>Police Station</i>	<i>Sections</i>
220	22.04.2018	Pehowa, District Kurukshetra	148, 149, 323, 324 of IPC (Section 201 of IPC and 3(2)(V-a) of SC/ST Act added later on)

<i>Criminal Case no. before trial Court</i>	
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1.	<i>Names of the complainant/ victims(s)/aggrieved persons(s)</i>	
2.	<i>Dates on which the statement(s) of the complainant/victims(s)/aggrieved persons(s) were recorded</i>	
3.	<i>Has the identity of the complainant/victims(s)/ persons(s) been verified?</i>	<i>Yes/No</i>



4.	<i>Whether all the victims/ all the aggrieved persons have compromised the matter?</i>	<i>Yes/No</i>
5.	<i>Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?</i>	<i>Yes/No</i>
6.	<i>Names of the accused person(s)</i>	
7.	<i>Dates on which the statement(s) of the accused persons(s) recorded</i>	
8.	<i>Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.</i>	<i>Yes/No</i>
9.	<i>Whether proclamation proceedings are pending against any accused?</i>	<i>Yes/No</i>
10.	<i>Has the police report been filed or not?</i>	<i>Yes/No</i>
11.	<i>Notice of accusation /Charges have been framed or not?</i>	<i>Yes/No</i>
12.	<i>Sections of statutes invoked in the matter</i>	
13.	<i>Whether the court is satisfied with the genuineness of the compromise?</i>	<i>Yes/No</i>

There would be no need for a certified copy of this order; and any Advocate for the Petitioners/State can download this order and other particulars as may be required, from the official web page of this Court, and attest it to be a true copy. The concerned court can also verify its authenticity and may download and use the downloaded copy for immediate use, if required.



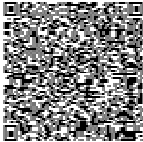
Petitioner No.9 as well as respondent No.9 are permitted to appear through video conferencing and their statements be signed by their counsel for acceptance purpose.

List on 10.01.2025.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone. The report further indicates that one of the accused namely Vijay Kumar who is petitioner No.6 in the present petition has not appeared before the Court concerned to depose and support the compromise.

4. Learned counsel for private respondents submits that for quashing of FIR on the basis of compromise, the consent of the complainant and victim is necessary and it is not relevant if one of the accused has not come forward to depose and support the compromise. He further submits that they have no objection if the FIR is quashed qua all the accused including petitioner No.6.

5. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, and **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrL) 1052**, this petition is allowed and FIR No.220 dated 22.04.2018, under Sections



148, 149, 323, 324 of IPC (Section 201 of IPC and Section 3(2)(V-a) SC/ST Act added later on), registered at Police Station Pehowa, District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

10.01.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No