



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20974-2024(O&M)

Date of decision: 01.03.2025

Ashish Sharma

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

None for respondent Nos. 2 & 3.

MAHABIR SINGH SINDHU, J.

Present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 0010 dated 06.01.2022, under Sections 406, 420 and 506 of Indian Penal Code, 1860, registered at P.S. City Pehowa, District Kurukshetra and all proceedings arising therefrom on the basis of compromise dated 08.12.2023 (P-2) arrived at between the parties i.e. petitioner as well as respondent Nos. 2 & 3.

(2) A Co-ordinate Bench, while issuing notice of motion on 29.04.2024, passed the following order:-

“ The petitioner has approached this Court seeking quashing of FIR (Annexure P-1) and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Notice of motion.

At this stage, Mr. Nitin Kumar Sharma, Advocate, has put in appearance on behalf of respondents No.2 and 3 and has filed power of attorney. The same is taken in record.

The parties are directed to move an application before the trial Court/Illaq Magistrate concerned for getting their statements recorded qua the factum of compromise. As



and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaq Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:-

- (i) Whether there is any other accused other than the petitioner, arrayed in this petition.*
- (ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition.*
- (iii) Whether any accused has been declared as proclaimed offender?*
- (iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion?*
- (v) The report be submitted before this Court on or before the next date.”*

(3) In terms of aforesaid order, a report dated 12.08.2024 has been received from learned Judicial Magistrate First Class, Pehowa. For reference, the report reads as under:-

“Vide order dated 29.04.2024, Hon’ble Punjab and Haryana High Court, Chandigarh has directed the trial Court/Illaq Magistrate to record the statements of the parties with respect to compromise. The statement of the parties could not be recorded as none of the parties appeared before the Court for recording their statements.”

(4) Case called twice. No one has appeared on behalf of the petitioner.

It seems that no compromise has been effected between the parties i.e. petitioner



as well as respondent Nos. 2 & 3 and petitioner has lost interest in pursuing the matter.

(5) In view of the above, there is no option, except to dismiss the present petition for want of non-prosecution.

(6) Ordered accordingly.

(7) Needless to say that above observations be not construed as an expression of opinion on the merits of the case, in any manner.

Pending application(s), if any, shall also stand disposed off.

01.03.2025

Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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