

SIKANDER SINGH TANDON AND ORS.

VS

STATE OF HARYANA AND ANOTHER

Present: - Mr. Shashi Kumar Yadav, Advocate, for the petitioner.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 0124 dated 15.09.2017, under Sections 384, 506 of the IPC registered at Police Station Bajghera, District Gurugram (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 03.03.2023 (Annexure P-2) executed between the parties.

2. Mr. Nikhil Vats, Advocate has put in appearance on behalf of respondent No.2 and filed power of attorney, which is taken on record.

3. It is, *inter alia*, contended by learned counsel for the petitioner that the FIR (Annexure P-1) was registered at the instance of respondent No.2 and he submits that after completion of investigation, the challan has been presented in Court of learned Ilacqua Magistrate and the charges have been framed. He further submits that the next date fixed in the trial Court for prosecution evidence is 15.05.2023. During the pendency of the petition, the matter has been compromised with the intervention of the respectables.

4. Notice of motion.

5. At the asking of the Court, Mr. Vishal Malik, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent No.1 and Mr. Nikhil Vats, Advocate accepts notice on behalf of respondent No.2 and also admits the factum of compromise

(Annexure P-2).

6. Accordingly, the private parties are directed to appear before the concerned trial Court/Duty Magistrate on 15.05.2023 or any other date, convenient to the Court for recording their statements with regard to compromise/settlement. Trial Court/Duty Magistrate is directed to submit a report on or before the next date of hearing containing the following information:-

1. Number of persons arrayed as accused in FIR.
2. Whether any accused is 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 case or not.
5. The trial Court is also directed to record the statement of the Investigation Officer as to how many victims/complainants are there in the FIR.

To await report of the trial Court, adjourned to 24.05.2023.

25.04.2023

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(SANJIV BERRY)
JUDGE