

123 CRM-M-32108-2023

Atul vs. State of Haryana and another

Present : Mr. Ojas Bansal, Advocate for
Mr. Sanjiv Kumar Aggarwal, Advocate for the petitioner.

Petitioner seeks quashing of case FIR No.164 dated 05.05.2023 (Annexure P-1) under Section 379-B IPC registered at Police Station Matlauda, District Panipat, on the basis of compromise dated 08.06.2022 (Annexure P-2).

Learned counsel for the petitioner submits that he is one of the co-accused in the FIR and has entered into a compromise.

Notice of motion.

Mr. Tejas Bansal, Advocate has put in appearance on behalf of respondent No.2-complainant and has filed his power of attorney, which is taken on record.

Both the parties are directed to appear before the concerned trial Court/Duty Magistrate for recording their statements on 25.07.2023 or any other date convenient to the trial Court/Duty Magistrate. The statement of Investigating Officer be also recorded on the same day, who would also identify the parties appearing before the Court. The original compromise shall be produced before the trial Court/Duty Magistrate.

The 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.*
- 2. Whether any accused is proclaimed person?*
- 3. Whether all the accused/petitioner is appearing before the Court?*
- 4. Whether the compromise is genuine, voluntary and without any coercion or undue influence?*
- 5. Whether the accused/petitioner are involved in any other FIR or not?*

6. The trial Court/Duty Magistrate is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.

The State to file status report before the next date.

List on 29.11.2023.

(VIKAS SURI)
JUDGE

July 06, 2023
Ajay