

**RAJIV WALIA
VS
STATE OF HARYANA AND ANOTHER**

Present: - Ms. Poorva Gupta, Advocate for
Mr. Akshit Aggarwal, Advocate for the petitioner.

The present petition under Section 482 Cr.P.C. has been preferred seeking quashing of FIR No. 0149 dated 18.11.2009 under Sections 170, 406, 420, 467, 468 and 471 of IPC, registered at P.S. Partap Nagar, District Yamunanagar (Annexure P-1) on the basis of compromise dated 26.07.2023 (Annexure P-2) executed between the parties.

2. It is, *inter alia*, contended by learned counsel for the petitioner that the FIR (Annexure P-1) was registered against the petitioner and also one Deep Chand, at the instance of respondent No.2, however, during pendency of the appeal (Annexure P-3), compromise has been effected between the parties and the aforesaid FIR qua co-accused Deep Chand was quashed vide order dated 15.03.2023 passed in CRM-M-60605-2022. Learned counsel for the petitioner further submits that compromise (Annexure P-2) dated 26.07.2023 has been effected between the parties with the intervention of the respectables and on the basis thereof quashing of the FIR has been sought.

3. Notice of motion.

4. At the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, accepts notice on behalf of the State and Mr. Mahipal Yadav, Advocate accepts notice on behalf of respondent No.2 and has filed his

Power of Attorney which is taken on record. Let the copy of the petition be handed over to the counsel opposite during the course of the day.

5. Learned counsel for respondent No.2 admits the factum of compromise.

6. Accordingly, the private parties are directed to appear before the concerned trial Court/Illaq Magistrate/Duty Magistrate on 21.08.2023 or any other date, convenient to the Court for recording their statements with regard to compromise/settlement. Trial Court/Illaq Magistrate/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.

7. To await report of the trial Court, adjourned to 31.08.2023.

07.08.2023
kanika

(SANJIV BERRY)
JUDGE