

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

CRM M-9950 of 2014

Date of decision : 24.08.2015

Gagandeep Singh @ Gagan & ors.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. V.K. Gupta, Advocate for the petitioners.

Mr. Ankur Jain, AAG Punjab.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 219 dated 03.10.2012 registered under sections 364, 308, 325, 341, 323, 294, 506, 120-B, 148, 149 IPC and sections 25, 54, 59 of the NDPS Act at police station Sadar Jagraon, District Ludhiana on the basis of compromise.

Learned counsel for the petitioners submits that co-accused have been acquitted. He, thus, submits that in view of compromise, impugned FIR deserves to be quashed.

Prayer has been opposed by learned State counsel. According to him, all the petitioners are proclaimed offenders.

I have heard learned counsel for the parties.

FIR was registered on the complaint of Baljinder Singh. It was alleged that accused assaulted complaint side in which various injuries were caused to them. Both legs of father of

complainant suffered a fracture due to which he had to be admitted to Civil hospital, Jagraon.

In view of nature of allegations and the fact that petitioners are proclaimed offenders, I am not inclined to quash the impugned FIR on the basis of compromise. The factum of acquittal of co-accused is not relevant in light of judgment of this court in *CRM M-13084 of 2014* titled as *Munfed & anr. vs. State of Haryana*.
Dismissed.

Petitioners shall, however, be at liberty to take all their pleas before the trial court at the appropriate stage.

August 24, 2015

Ajay

(RAJAN GUPTA)
JUDGE