

CRM-M No.8885 of 2021
Reserved on : 09.02.2022
Pronounced on: 21.02.2022

Daljit Singh and others.....Petitioner(s)

Vs.

State of Punjab and others.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Prince Sharma, Advocate
for the petitioners.

Mr. H.S. Sitta, AAG, Punjab.

Mr. Varinder Kumar Sharma, Advocate
for respondents No.2 to 4.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
54	12.09.2015	P.S. Sarai Amanat Khan, District Amritsar City	323, 324, 325, 148 & 149 IPC

The petitioner(s), arraigned as accused in the above captioned FIR, have come up before this Court under Section 482 CrPC for quashing of the FIR and all consequential proceedings based on the compromise with the victim(s).

2. The gist of the allegations against the petitioner(s) is that the complainant (respondent No.2) made a statement before the police alleging that the petitioners had caused injuries to him, Satnam Singh (Respondent No. 3), and Harjeet Kaur (Respondent No.4). Based on such statement, the police registered the FIR captioned above. Needless to mention all the details and it is sufficient to say that the parties have entered into a compromise.
3. During the pendency of the petition, the accused and the injured have compromised the matter, and its copy is annexed with this petition as Annexure P-2. After that, the petitioner(s) came up before this Court to quash the FIR, and in the quashing petition, the injured have been impleaded as respondent(s).
4. On the prayer of the parties in the present petition, the Court had permitted the parties to appear before the concerned Court to record their statements.

ANALYSIS & REASONING:

5. As per the report of the concerned Judicial Magistrate, although the complainant (Respondent no. 2) and Satnam Singh (Respondent No. 3) appeared and made a joint statement about compromise but the other injured Harjeet Kaur (Respondent No.4) did not appear and as such the veracity of compromise could not be ascertained.

6. Given above, the matter cannot be compromised. However, it shall be open for the accused to apply to this court seeking another opportunity to make appear Harjeet Kaur (Respondent No.4)/victim before the concerned court to record her no-objection statement(s). In that eventuality, there would be no need for the accused to re-appear, and they can annex the copy of the statements already recorded in this petition.

Petition dismissed in the terms mentioned above. Liberty is reserved to file a fresh petition. All pending applications, if any stand closed.

(ANOOP CHITKARA)
JUDGE

February 21, 2022
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Whether speaking/reasoned: Yes
Whether reportable: **No.**