

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 10419-2022
Reserved on: 25.03.2022
Pronounced on: 28.03.2022

Sukhwant Singh and othersPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Daljeet Singh Virk, Advocate for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Arshdeep Singh Brar, Advocate for the complainant.

Mr. Deepak Gupta, Advocate for victims.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
196	29.10.2021	Sadar Faridkot, District Faridkot	307 IPC and 25 of Arms Act

The petitioner(s), arraigned as accused in the above captioned FIR, has 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. During the pendency of the petition, the accused and the injured have compromised the matter, and its copy is annexed with this petition.
3. 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 15.03.2022, the victim/ complainant Lovpreet Singh, the respondent no. 2 stated before the ACJM Faridkot that there would be no objection if the court quashes this FIR and consequent proceedings. As per the concerned court's report dated 16-3-2022, the parties consented to the quashing of FIR and consequent proceedings without any threat.

5. The State’s counsel has severely opposed this compromise and seeks dismissal of the petition because of the heinous nature of the offence.

ANALYSIS & REASONING:

6. On 25-3-2022, when the matter was listed before this court, then Mr. Deepak Gupta, Advocate put in appearance on behalf of the other victims, and stated that the aggrieved persons were neither arraigned as respondents nor have they made any statements supporting the compromise. Ld. Counsel further referred to paragraph 10 of the petition, and stated that there has been an effort to mislead the court by stating that there is no other complainant, whereas they should have mentioned that there were no other aggrieved persons.

7. I find merits in the submissions of Mr. Deepak Gupta, Advocate. A perusal of FIR reveals three more victims, namely Samanpreet Singh, Malkit Singh, and Harjit Singh. None of them was arraigned as a respondent. Even their statements were not recorded. Thus, the petitioners tried to mislead this court. Given above, the petition is dismissed.

8. Given the conduct of the accused/petitioners, they are restrained from filing a fresh petition on the same and similar grounds.

Petition dismissed in the terms mentioned above. All pending applications, if any stand closed.

(ANOOP CHITKARA)
JUDGE

28.03.2022
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.