

CRM-M-12096-2021

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

CRM-M-12096-2021

Date of decision:22.09.2022

Parminder Singh and another

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jasraj Singh, Advocate,
for the petitioner.

Mr. IPS Sabharwal, DAG Punjab.

Mr. Ankit Chowdhri, Advocate,
for respondents No.2 and 3.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioners seek quashing of FIR No.61 dated 18.06.2018, registered at Police Station Mehtiana, District Hoshiarpur, under Sections 323, 452, 506, 148 and 149 IPC and Section 34 IPC (added later on in place on Sections 148 and 149 IPC, vide DDR No.19 dated 20.06.2019), and all the subsequent proceedings arising therefrom, on the basis of compromise dated 06.03.2021 (Annexure P-3), arrived at between the parties.

Vide order dated 17.03.2021 passed by this Court, the trial Court/Illaq Magistrate had been directed to record the statements of the parties with regard to the genuineness and authenticity of the compromise.

In compliance thereof, learned Judicial Magistrate Ist Class, Hoshiarpur, has submitted a report, vide letter dated 07.04.2021, indicating that the parties had appeared before the Magistrate and got recorded their

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respective statements with regard to the validity of the compromise. As per the report, one of the accused, namely, Gagandeep Singh has been declared a proclaimed offender.

I have heard the learned counsel for the parties.

The above-noted FIR was got registered by respondent No.2. The petitioners seek quashing of the same on the basis of compromise, which has been effected between two out of three accused with the complainant party. A perusal of the report of trial Court would show that co-accused Gagandeep Singh and petitioner No.2-Ajay Kumar were indicted in the present case on the basis of disclosure statement of petitioner No.1-Parminder Singh.

The factum of registration of the present FIR against co-accused Gagandeep Singh, has neither been mentioned in the present petition nor the same was disclosed by the learned counsel for the petitioners while this petition came for hearing before this Court. Rather, the aforesaid fact has come to the knowledge of this Court after the receipt of the report of trial Court, which amounts to concealment of true and material facts on the part of the petitioners.

In view of the above discussion, this Court finds that no case for quashing of the present FIR, on the basis of compromise, is made out.

Dismissed.

22.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No