

228-B

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

CRM-M-27287-2021

Date of decision:10.02.2022

SURJIT KAUR

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. Since it is stated at the bar, by the learned State counsel, that after framing of charges against the accused for offences, constituted under Sections 447, 511, 323, 336, 148, 149 IPC (lateron Sections 427 and 34 of IPC, and, 27 & 54 of Arms Act, 1959 were added), the learned trial Court has, out of 18 prosecution witnesses, recorded the testifications of 8 prosecution witnesses.

2. Therefore, since the trial is pending, and, has progressed to the above stage, before the learned trial Magistrate concerned, and, also when some of the offences carried in the FIR (supra), and in the charge, are non-compoundable also with the leave of the learned trial Judge concerned. Thereupon until the learned trial Judge makes a lawful verdict of conviction, upon charges, as arises, from FIR No.97 of 28.04.2015, registered at Police Station Shahkot, District Jalandhar City, this Court does not deem it fit to, through exercising the mandate of Section 482 Cr.P.C. to, proceed to quash, on the basis of a compromise drawn amongst the accused, and, the complainant, the

FIR (supra), and, also the above drawn consequential proceedings. The above recourse can be made by this Court, only after an appeal, if any, becomes preferred thereagainst, before the learned Appellate Court concerned.

3. Consequently, at this stage, the petition is not maintainable, and, it is disposed of, as such. However, liberty reserved to, at an appropriate stage, recourse this Court through a petition cast under Section 482 Cr.P.C.

4. With the afore observations, the petition is disposed of.

(SURESHWAR THAKUR)
JUDGE

10.02.2022

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Whether speaking/reasoned:-	Yes/No
<i>Whether reportable:</i>	<i>Yes/No</i>