

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 25573 of 2022
Reserved on: 16.08.2022
Pronounced on: 23.09.2022

Nirmal Singh and othersPetitioners

Vs.

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. K.S. Kahlon, Advocate for the petitioners.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

Mr. Varun Sharma, Advocate for respondents No. 2 and 3.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
17	25.06.2016	Kotli Surat Malhi, Police District Batala, District Gurdaspur	323, 452, 506, 427, 148, 149 IPC

The petitioners, arraigned as accused in the above captioned FIR, have come up before this Court under Section 482 Cr.P.C for quashing of the FIR and all consequential proceedings based on the compromise with the aggrieved persons.

2. During the pendency of the petition, the accused and the aggrieved persons have compromised the matter, and its copy is annexed with this petition as Annexure P-2.
3. After that, the petitioners came up before this Court to quash the FIR, and in the quashing petition, impleading the aggrieved person as respondents.
4. On 29.7.2022, the aggrieved person Davinder Singh (R-2) appeared before the JMIC, Batala and stated that there would be no objection if the court quashes this FIR and consequent proceedings. As per the concerned court's report dated 3.8.22, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. The petitioner had submitted that aggrieved respondent Sawinder Singh was in Canada and that he would never travel for merely recording of statement. Hence, his presence be dispensed with and substituted with a declaration regarding the compromise. However, no such declaration has been put on record.
6. Since all the victims did not state about their no objection to the compromise and also the reasons which led to the compromise, as such this court cannot proceed further in this matter.
7. Given above, the petition is dismissed. However, liberty is reserved to the petitioners to file a fresh petition and there would be no necessity re-examine Davinder Singh and the accused, whose statements stand recorded. The copies of the statements along with report would suffice.

Petition dismissed in the terms mentioned above, with liberty reserved.

(ANOOP CHITKARA)
JUDGE

23.09.2022

Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: **No.**