

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27565-2022
Reserved on: 16.09.2022
Date of Pronouncement: 27.09.2022

Vipan Kumar & others
...Petitioner (s)
Versus
State of Punjab & others
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Prateek Pandit, Advocate
for the petitioner(s).

Mr. Virat Rana, AAG, Punjab.

Mr. Barjinder Singh, Advocate
for respondents no.2 and 3.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
84	17.5.2022	Division no.5, District Jalandhar	325 & 34 IPC

The petitioners, 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 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 persons as respondents.

4. On 30.8.22, the aggrieved person Kaushayla Devi (R-2) appeared before the JMJC, Jalandhar 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 7.9.22, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. However, the respondent no.3, Ramesh Kumar, who as per the statement of the investigator is also an aggrieved has neither been made a party to the compromise deed nor was his statement recorded before the Magistrate to that effect.

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 the already examined aggrieved 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

27th Sept. 2022

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Whether speaking/reasoned:

Yes

Whether reportable:

No.