

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40251-2019
Reserved on: 29.07.2022
Date of Pronouncement: 15.09.2022

Bibha Devi & others
...Petitioner (s)
Versus
State of Punjab & others
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Dharamvir Sharma, Advocate
for the petitioner(s).

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

Mr. Vipul Sherwal, Advocate for
Mr. P.S. Birla, Advocate
for respondents no.2 and 3.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
193	19.8.2018	Jamalpur, District Ludhiana	323, 452, 506 and 149 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 27.2.20, the aggrieved person Shiv Shanker (R-3) did not appear to make the statement and the aggrieved Sunita Devi (R-2) appeared before the JMIC, Ludhiana and stated that no compromise has been effected with the accused-petitioners and she objects to quashing of FIR and consequent proceedings. As per the concerned court's report dated 7.3.20, the aggrieved have not consented to the quashing of FIR and consequent proceedings. Later on, petitioner seeks more time to produce victim before the trial Court, but none of them appeared, as reflected from the report dated 6.7.2022.

ANALYSIS & REASONING:

6. Since the victims did not state about their no objection 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 if a genuine compromise is entered into by the parties.

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

(ANOOP CHITKARA)
JUDGE

September 15, 2022

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Whether speaking/reasoned:

Yes

Whether reportable:

No.