

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 54536 of 2021 (O&M)
Reserved on: 28-04-2022
Pronounced on: 22-07-2022

Sukhjeet Kaur and othersPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Tajinder Pal Singh Makkar, Advocate
for the petitioners.

Mr. H.S. Sitta, AAG, Punjab.

Ms. Guneet Babbar, Advocate for
Mr. Satnam Singh, Advocate
for respondent No.2.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
0003	10.01.2018	Nandgarh, Distt. Bathinda	406, 420, 34 IPC (Challan under Sections 406, 420, 34, 447, 448, 506, 507, 148 & 149 IPC was presented and charges framed under Sections 420, 406, 148, 448 read with Section 149 & 506 IPC)

The petitioner, arraigned as accused in the above captioned FIR, has 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 person.

- During the pendency of the petition, the accused and the aggrieved person have compromised the matter, and its copy is annexed with this petition as Annexure P-3.
- After that, the petitioner came up before this Court to quash the FIR, and in the quashing petition, impleading the aggrieved person as respondent.
- On the directions of this court, a report has been submitted by Ld. JMIC Bathinda, wherein in response to the query no. 2, that whether all the victims/aggrieved persons have

consented to the compromise, the report reads that one aggrieved person Balwinder Kumar stated that although he has no objection to the compromise but he had never entered into any compromise with accused persons or complainant. Thus, all the parties did not appear for compromise. A perusal of the memo of parties reveal that Balwinder Kumar was not even arraigned as a respondent.

5. Thus, all the aggrieved persons did not consent for the compromise.
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 the above, the petition is dismissed. However, liberty is reserved to the petitioners to file a fresh petition, and there would be no necessity to re-examine those aggrieved persons and those accused persons whose statements already stand recorded, and it would also be sufficient to annex photocopies of such statements, attested by the counsel filing such petition.

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

(ANOOP CHITKARA)
JUDGE

July 22, 2022
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Whether speaking/reasoned: Yes
Whether reportable: No.