

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28448-2022 (O&M)
Reserved on: 16.01.2023
Pronounced on: 08.02.2023

Ramzan Khan & others
... Petitioner(s)
Versus
State of Punjab & another
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Ms. Arshdeep Kaur, Advocate
for the petitioner(s).

Mr. H.S. Sitta, DAG, Punjab.

Mr. Sukhjit Singh, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
54	31.5.2022	Sandaur	452, 323, 324, 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 a compromise with the aggrieved person.

2. 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-2.
3. After that, the petitioners came up before this Court to quash the FIR and the aggrieved person has been impleaded as respondent no.2.
4. On 28.7.2022, the aggrieved person Binder Khan (Respondent no.2) stated before the Judicial Magistrate Ist Class, Malerkotla that he has no objection if the court quashes this FIR and consequent proceedings. As per the concerned court's report dated 1.8.2022, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. However, a close scrutiny of the FIR and other documents reveals that the petitioners did not arraign father-in-law of the complainant, as a respondent, who was also given beatings in the present case.
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 complainant and the accused, whose statements stand recorded. The copies of the statements along with report would suffice. It is further clarified that in case any such fresh petition is filed, the present petition shall not come in the way of the petitioners.

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

(ANOOP CHITKARA)
JUDGE

February 08, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No