

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M No.37359 of 2022  
Reserved on: 16.01.2023  
Pronounced on: 31.01.2023

Samitar Singh .....Petitioner

Vs.

State of Punjab and another .....Respondents

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. A.S. Brar, Advocate,  
for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

Mr. C.S. Jattana, Advocate,  
for respondent No.2.

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**ANOOP CHITKARA J.**

| FIR No. | Dated      | Police Station                              | Sections                  |
|---------|------------|---------------------------------------------|---------------------------|
| 31      | 04.05.2019 | Talwandi Chaudhrian,<br>District Kapurthala | 279, 337, 338 and 427 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.

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 petitioner came up before this Court to quash the FIR, and in the quashing petition, impleading the aggrieved person as respondent.
4. On 09.09.2022, the aggrieved person Veerpal Kaur (R-2) stated before the JMIC, Sultanpur Lodhi 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 13.09.2022, the parties to the petition consented to the quashing of FIR and consequent proceedings without any

threat. However, as per report there are four other injured namely, Mandeep Singh, Harpreet Kaur, Sukhwant Kaur and Naseebudin but the said victims nor are party to this petition neither appear for recording statements.

ANALYSIS & REASONING:

5. However, the petitioner did not arraign Mandeep Singh, Harpreet Kaur, Sukhwant Kaur and Naseebudin as respondents in this case. Even the owner of vehicle i.e. auto rickshaw bearing Registration No. PB02-DF-2573 is not arrayed as party, however, if there is any damage of vehicle, in that case he is necessary party.

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 petitioner to file a fresh petition and there would be no necessity re-examine the complainant/aggrieved persons and the accused, whose statements stand recorded. The copies of the statements alongwith report would suffice.

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

**(ANOOP CHITKARA)**  
**JUDGE**

**31.01.2023.**  
Jyoti-II

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