

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-42490-2022 (O&M)

Reserved on: 02.02.2023

Pronounced on: 14.03.2023

Gagandeep Singh Roop Rai & others

... Petitioner(s)

Versus

State of Punjab & others

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Parminder Singh Sekhon, Advocate
for the petitioner(s).

Mr. Aditya Kapoor, AAG, Punjab.

Mr. Arun Abrol, Advocate
for respondents no.2 and 3.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
210	17.10.2017	City Phagwara, District Kapurthala	294, 384, 506, 34 IPC and 67A I.T.Act

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 person(s).

2. 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, impleading the aggrieved persons as respondents.

4. On 16.11.2022, the aggrieved persons (Respondents no.2 and 3) appeared before the SDJM, Phagwara and stated that there would be no objection if the court quashes this FIR and consequent proceedings. Respondents no.2 and 3 stated before the trial Court that they have no objection to the FIR being quashed. As per the concerned

court's report dated 03.01.2023, the parties consented to the quashing of FIR and consequent proceedings without any threat.

5. A careful scrutiny of the FIR reveals that the petitioners-accused had also issued life threats to the Brijesh Sharma, son of the complainant and also abused him. However, the petitioners did not arraign him as a respondent in this 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 to re-examine the complainant/aggrieved person 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

March 14, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No