

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.111

CRM-M-56402-2022

Date of Decision : February 17, 2023

Ravinder Kumar @ Romy Walia and ors.

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Nitin Sachdeva, Advocate, for the petitioners.

Mr. Harkanwarjit Singh, AAG, Punjab.

Mr. Devayanshu Jolly, Advocate, for respondent No.2-complainant.

SUDHIR MITTAL, J. (ORAL)

Status report dated 12.02.2023 has been filed on behalf of State of Punjab. A perusal thereof shows that complainant-respondent No.2 has suffered seven blunt injuries. Their location indicates that he was beaten with a blunt weapon resulting in injuries on the back, knees and arms/wrists. The location of the injuries indicates torture. Thus, the allegations in the FIR regarding torture stand corroborated. Further perusal thereof shows that the petitioners had kidnapped the complainant and had taken him from one place to another in order to make him confess that he was illegally selling liquor of outsiders from their vends.

From the above, it is evident that serious allegations have been made against the petitioners by their employee. The petitioners are liquor contractors and it is well-known that such persons adopt high-handed methods to terrorize their employees and others to whom they are inimical.

Having been subjected to torture, I am not satisfied that the complainant has reached an amicable settlement with the petitioners. The alleged settlement has obviously been reached under dire threat and coercion.

Keeping in view the aforementioned facts, I do not deem it appropriate to quash FIR No.61, dated 24.03.2022, registered at Police Station City-2, Mansa, under Sections 342, 323, 120-B, 506, 34 IPC and subsequent GDR No.83, dated 24.03.2022, under Section 364 IPC and Section 3 & 4 of SC/ST Act, 1989 on the basis of compromise.

Petition is accordingly dismissed.

February 17, 2023
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No