

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60535-2022 (O&M)
Decided on: 20.01.2023

Dalbir Singh alias Dalvir Singh alias Dira alias Kala

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Mr. Virat Rana, AAG, Punjab.

Mr. Arjun Shukla, Advocate
for respondent no.2.

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
191	10.11.2008	Nurmahal	447, 506, 148, 149 IPC & Sections 3 and 4 SC/ST Act.

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, impleading the aggrieved person as respondent no.2.
4. On 11.01.2023, the aggrieved person Malkiat Singh (Respondent no.2) appeared before the Additional Sessions Judge, Jalandhar and stated that there would be no objection if the court quashes this FIR and consequent proceedings. As per the

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concerned court's report dated 19.01.2023, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. However, counsel for the petitioners submits that although statements have been recorded, yet one aggrieved person was not impleaded in this petition, unintentionally due to oversight.
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 present petition is defective and the same is disposed of. However, liberty is reserved to the petitioner to file a fresh petition and there would be no necessity re-examine the complainant/aggrieved person and the accused, whose statements already stand recorded. The copies of their statements along with report would suffice.

Petition disposed of in the terms mentioned above, with liberty reserved.

(ANOOP CHITKARA)
JUDGE

January 20, 2023
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.