

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8932-2024 (O&M)

Reserved on: 11.07.2024

Date of Pronouncement: 26.07.2024

Abhishek Bansal
... Petitioner(s)
Versus
State of Punjab and another
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. HPS Ghuman, Advocate
for the petitioner(s).

Mr. Sukhdev Singh, AAG, Punjab.

Mr. Lakshay Goel, Advocate for
Mr. Jashanpreet Singh, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
76	25.5.2022	City Khanna, Tehsil Khanna, District Ludhiana	457, 380 IPC

The petitioner(s), 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(s).

2. During the pendency of the criminal proceedings, the accused and the aggrieved person(s) have compromised the matter, and its copy is annexed with this petition as Annexure P-2.
3. After that, the petitioner(s) came up before this Court to quash the FIR, impleading the aggrieved persons as respondent no.2.
4. Pursuant to order of this Court dated 23.2.2024, the complainant-aggrieved person(s) (R-2) appeared before the Judicial Magistrate Ist Class, Khanna 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 30.3.2024, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. However, a perusal of the FIR reveals that there are specific allegations against the petitioner that he along with co-accused had beaten the watchman Chandrabhan and also threatened Sagar Singh, Foreman, Jaswant Singh, Gurpreet Singh Roki Bhatija, Jagdev Singh, Lalita Sharma and Parminder Singh and he pointed his revolver at them. However, the petitioner has neither arraigned them as respondents in this case nor their statements have been recorded before the trial Court/Illaqa Magistrate.

6. Since all the victims did not state 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 to re-examine the complainant-respondent no.2 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

July 26, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No