

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16921-2024 (O&M)

Reserved on: 03.07.2024

Date of Pronouncement: 08.07.2024

Sanjeev Nagpal @ Kali Nagpal & others
... Petitioner(s)
Versus
State of Punjab and another
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ashok Kumar Sama, Advocate
for the petitioner(s).

Mr. TPS Walia, AAG, Punjab.

Mr. Aarish Kamboj, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
2	5.1.2024	Khuhi Khera, District Fazilka	365, 379B, 341, 323, 148, 149 IPC and Sections 25/27 Arms Act (Sections 379B IPC and 25/27 Arms Act deleted)

The petitioner(s), 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. 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-3.
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 8.4.2024, the complainant-aggrieved person(s) (R-2) appeared before the Judicial Magistrate Ist Class, Fazilka 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 14.6.2024, 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 the complainant was accompanied by his friends namely Amar Singh and Mangat Singh also and during the scuffle, Mangat Singh was beaten up and his jacket was also torn. However, neither the petitioners have arraigned Mangat Singh as a respondent in this case nor his statement has been recorded before the trial Court/Illaqa Magistrate.

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-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 08, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No