

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21950-2024 (O&M)

Reserved on: 03.09.2024

Date of Pronouncement: 16.09.2024

Dorothy Howell & others

... Petitioner(s)

Versus

State of Punjab & another

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. R.S. Sekhon Advocate
for the petitioner(s).

Mr. Gauravdeep Singh Dhillon, AAG, Punjab.

Mr. A.P.S. Virk, Advocate for
Mr. B.K. Saini, Advocate
for respondent nos.2 and 3.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
39	19.04.2018	Cantt. Ferozepur, District Ferozepur	451, 323, 148, 149 IPC

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-2.

3. After that, the petitioner(s) came up before this Court to quash the FIR, impleading the aggrieved persons as respondent nos.2 and 3.

4. Pursuant to order of this Court dated 29.05.2024, the complainant-aggrieved person (R-2), appeared before Judicial Magistrate Ist Class, Ferozepur 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 22.7.2024, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. However, an analysis of the FIR reveals that there are specific allegations against the petitioners that they had also given beatings to sister of the complainant namely Rabina. Though the petitioners have arraigned her as respondent no.3 in this case, but her statement has not been recorded before the concerned Court.

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 petitioners to file a fresh petition and there would be no necessity to re-examine the complainant-victim 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

September16, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No