

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23639-2024 (O&M)

Reserved on: 05.07.2024

Date of Pronouncement: 22.07.2024

Mahesh Sharma @ Brahman & others

... Petitioner(s)

Versus

State of Punjab & another

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Neeraj Yadav, Advocate
for the petitioner(s).

Mr. Sukhdev Singh, AAG, Punjab.

Mr. Prabhjot Singh, Advocate for
Mr. Mikhail Kad, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
4	23.1.2024	Verka, District Amritsar	336, 148, 149, 506 IPC and 25, 27 Arms Act

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 no. 2.

4. Pursuant to order of this Court dated 10.05.2024, the aggrieved person(s) (R-2) appeared before the Judicial Magistrate Ist Class-Amritsar and stated that there would

be no objection if the Court quashes this FIR and consequent proceedings. The report of concerned Court reads as follows:

Name of the reporting Court	Judicial Magistrate Ist Class, Amritsar	
Criminal Case no. before trial Court	CRM-2429-2024	
1.	Names of the complainant/ victims(s)/ aggrieved persons(s)	Abhijit Singh @ Abhi
2.	Dates on which the statement(s) of the complainant/ victims(s)/ aggrieved persons(s) were recorded	28.5.2024
3.	Has the identity of the complainant/ victims(s)/ aggrieved persons(s) been verified?	Yes
4.	Whether all the victims/ all the aggrieved persons have compromised the matter?	Yes
5.	Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?	No
6.	Names of the accused person(s)	Mahesh Sharma alias Brahman, Sunny, Akash @ Baggi and Deepak alias Deepu
7.	Dates on which the statement(s) of the accused persons(s) recorded	28.5.2024
8.	Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.	Yes.
9.	Whether proclamation proceedings are pending against any accused?	No
10.	Has the police report been filed or not?	No
11.	Notice of accusation /Charges have been framed or not?	No
12.	Sections of statutes invoked in the matter	336, 148, 149, 506 IPC and Sections 25/27 Arms Act
13.	Whether the court is satisfied with the genuineness of the compromise?	Yes

ANALYSIS & REASONING:

5. A careful analysis of the FIR shows that the petitioners have not arraigned Santokh Singh, another victim, as a respondent in this case, who along with the complainant was also abused and was threatened to be killed.

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/aggrieved person(s) and the accused, whose statements stand recorded. Copies of their statements along with report would suffice.

Petition dismissed in the terms mentioned above, with liberty reserved.

(ANOOP CHITKARA)
JUDGE

July 22, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No