

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24290-2024 (O&M)

Reserved on: 17.07.2024

Date of Pronouncement: 26.07.2024

Rajwinder Singh @ Raju & others

... Petitioner(s)

Versus

State of Punjab and others

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ishan Gupta, Advocate
for the petitioner(s).

Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
41	26.3.2024	Sadar Dhuri	452, 307, 341, 323, 506, 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-1.

3. After that, the petitioner(s) came up before this Court to quash the FIR, impleading the aggrieved persons as respondent nos.2 to 8.

4. Pursuant to the order of this Court dated 15.5.2024, the complainant-aggrieved person(s) (R-2 to 8) appeared before the Judicial Magistrate Ist Class, Dhuri 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 5.6.2024, the parties consented to the quashing of FIR and consequent proceedings without any threat.

ANALYSIS & REASONING:

5. However, in the joint statement of the victims recorded before the concerned Court, it has been stated that respondent no.4 Ajay Kumar son of Chattar Singh, who is also a victim in the case, has not come present before the Court to get his statement recorded. Moreover, an analysis of the FIR reveals that there are allegations against the petitioners that they have also beaten up Parminder Yadav. However, neither the petitioners have arraigned him 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 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(s), respondents 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