CRM No. 49528 of 2024 in/and
CRM-M No. 36298 of 2024

114 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

CRM No. 49528 of 2024 in/and
CRM-M No. 36298 of 2024
Date of Decision: 18.12.2024

Rais Khan and others ...Petitioners

Versus

State of Haryana and another …Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. B.S. Mamli, Advocate
for the applicants-petitioners.

Mr. Vikrant Pamboo, Sr. D.A.G., Haryana (through V.C.).

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
67	14.02.2024	Chandimandir, Panchkula	365 IPC

CRM No. 49528 of 2024

For the reasons mentioned in the application, the same is allowed and complainant is ordered to be impleaded as party respondent No.3.

Amended memorandum of parties is also taken on record. With the consent of counsel for the parties, the main case is taken up on Board today itself.

Main case

Seeking quashing of FIR captioned above, the petitioners have come up before this Court under Section 482 CrPC.

2. Petitioner had sought quashing of FIR based on compromise by arraigning victim as respondent No.2, however it transpired that there was another complainant who was not arraigned as respondent. CRM No.49528 of 2024 is to implead complainant as respondent No.3. However, petitioner on his own submits that complainant is not supporting the compromise and otherwise he is not a victim. Statement of petitioner and respondent No.2 have already been recorded regarding compromise but since complainant is not a party, FIR cannot be quashed based on compromise, however he be given liberty to get the FIR quashed on merits by annexing compromise report and statement of respondent No.2 who has no objection to

Jyoti Sharma
2024.12.20 17:55
I attest to the accuracy and
authenticity of this order/judgment
High Court, Sector 1, Chandigarh

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quashing and by arraigning complainant as respondent No.3. In the said quashing petition, if the petitioner is able to justify that complainant was not a victim, there is merit in the petition.

3. Petition is disposed of with liberty to file fresh by demonstrating that complainant was not a victim.

4. Petitioner shall be permitted to annex copy of statement recorded before the concerned Illaqa Magistrate and also annex copy of report. All pending applications, if any also stands disposed.

(ANOOP CHITKARA)
JUDGE

18.12.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.

Jyoti Sharma
2024.12.20 17:55
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