

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42380-2024 (O&M)

Reserved on: 20.09.2024

Date of Pronouncement: 27.09.2024

Rajesh Gupta

... Petitioner(s)

Versus

State of Punjab & another

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Anish Verma, Advocate
for the petitioner(s).

Mr. Jasjit Singh, DAG, Punjab.

Mr. Mukesh K. Sharma, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
75	17.7.2024	Shambu, Patiala	281, 324(5), BNS, 2023

The petitioner(s), arraigned as accused in the above captioned FIR, has come up before this Court under Section 528 BNSS, 2023 for quashing of the FIR and all consequential proceedings based on the compromise with the complainant.

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 complainant as respondent no.2.

4. Pursuant to order of this Court dated 30.8.2024, the respondent no.2 appeared before the Judicial Magistrate Ist Class, Rajpura and stated that there would be no objection if the Court quashes this FIR and consequent proceedings.

ANALYSIS & REASONING:

5. An analysis of the FIR reveals that there are specific allegations against the petitioner that he had also given beatings to wife of the complainant namely Anju and his sister-in-law namely Asha Rani. However, the petitioners have neither arraigned them as respondent(s) in this case nor their statements have 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 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

September 27, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No