

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50285-2024 (O&M)

Reserved on: 11.11.2024

Date of Pronouncement: 18.11.2024

Sukhdev Singh & others

... Petitioner(s)

Versus

State of Punjab & others

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Judgpreet Singh Advocate
for the petitioner(s).

Mr. Akshay Kumar, AAG, Punjab.

Mr. Kamal Gupta, Advocate
for respondent nos.2 and 3.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
85	19.8.2024	Sangat, District Bathinda	331(6), 115(2), 191(3), 190 BNS, 2023

The petitioner(s), arraigned as accused in the above captioned FIR, have come up before this Court under Section 528 BNSS 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 14.10.2024, the aggrieved person(s) (Respondent no.2 and 3) appeared before the Judicial Magistrate Ist Class, Bathinda 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 6.11.2024, the parties consented to the quashing of FIR and consequent proceedings without any threat or coercion.

ANALYSIS & REASONING:

5. An analysis of the FIR reveals that there are specific allegations against the petitioners that they had also slapped Sarabjit Kaur (daughter of the complainant). However, the petitioners have neither arraigned her as respondent in this case nor her 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) 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

November 18, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No