

CRM-M-56033-2024 (O&M)

299

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56033-2024 (O&M)
Date of Decision: 18.11.2024

Gurmit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mrs. R.K. Grewal, Advocate
for the petitioner.

Mr. Jasjit Singh, D.A.G., Punjab.

Mr. Rajeev Singh Brar, Advocate
for respondents No.2 and 3.

ANOOP CHITKARA, J.

CRM-45468-2024

This is an application to place on record the amended petition.

In view of the contents and prayer clause of the application, the same is allowed. Amended petition is taken on record.

Main case

FIR No.	Dated	Police Station	Sections
133	11.08.2007	Noormahal, District Jalandhar	307, 323, 324, 341, 148, 149 IPC

1. The petitioner who is a convict in this case for the commission of above captioned offences and his appeal against conviction is pending in this Court, instead of filing an application for setting aside of conviction on the basis of compromise and acceptance of compromise u/s 528 BNSS, 2023 in the said appeal, has filed separate quashing petition.
2. Needless to say that Section 307 IPC is not compoundable and to exercise jurisdiction of this Court under Section 482 CrPC r/w 528 BNSS, 2023, the burden is on the applicant to prove such invocation. Further, once an appeal against conviction is



CRM-M-56033-2024 (O&M)

pending, the legal remedy is to file application in the said appeal and not a separate quashing petition.

3. Given above, the present petition is dismissed. Liberty reserved to the petitioner to file an application u/s 528 BNSS, 2023 in the said appeal. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

18.11.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: NO.