

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56019-2024 (O&M)

Reserved on: 13.12.2024

Date of Pronouncement: 19.12.2024

Parvinder Singh & another

... Petitioner(s)

Versus

State of Punjab & another

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Bhupinder Banga, Advocate
for the petitioner(s).

Mr. Akshay Kumar, AAG, Punjab.

Mr. Tushaar Maadan, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
38	8.3.2024	Mahilpur, District Hoshiarpur	420 IPC

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 complainant/aggrieved person(s).

2. During the pendency of the criminal proceedings, the accused and the complainant-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 no.2.

4. Pursuant to order of this Court dated 20.11.2024, the complainant (Respondent no.2) appeared before the Judicial Magistrate Ist Class, Garhshankar and stated that there would be no objection if the Court quashes this FIR and consequent proceedings. The relevant extract of the report of the concerned Court reads as follows:

Name of the reporting Court	Judicial Magistrate Ist Class, Garhshankar
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Criminal Case no. before trial Court	--
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1.	Names of the complainant/ victims(s)/ aggrieved persons(s)	Sukhwinder Kaur
2.	Dates on which the statement(s) of the complainant/ victims(s)/ aggrieved persons(s) were recorded	2.12.2024
3.	Has the identity of the complainant/ victims(s)/ aggrieved persons(s) been verified?	Yes
4.	Whether all the victims/ all the aggrieved persons have compromised the matter?	Yes
5.	Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?	No
6.	Names of the accused person(s)	1. Parvinder Singh; 2. Manjit Kaur.
7.	Dates on which the statement(s) of the accused persons(s) recorded	2.12.2024
8.	Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.	Yes
9.	Whether proclamation proceedings are pending against any accused?	No
10.	Has the police report been filed or not?	No
11.	Notice of accusation /Charges have been framed or not?	No
12.	Sections of statutes invoked in the matter	420 IPC
13.	Whether the court is satisfied with the genuineness of the compromise?	Yes

ANALYSIS & REASONING:

5. An analysis of the FIR reveals that there are specific allegations against the petitioners that an amount of Rs.2 lakhs was also transferred from the account No.3431000107165047 (PNB) of Smt. Balbir Kaur, mother of the complainant. However, the petitioners have neither arraigned her as respondent(s) 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 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

December 19, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No