

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-29358-2015

Date of decision: 26.08.2016

Gurmej Singh Sidhu

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Sukhjit Singh, Advocate for the petitioner.

Mr. A.S. Klar, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 178 dated 20.10.2000 (Annexure P-1) registered under Sections 306/420 read with Section 34 of the Indian Penal Code at Police Station Banga, District Nawanshahar (Shaheed Bhagat Singh Nagar) and all other consequential proceedings arising therefrom on the basis of compromise allegedly entered into between him and the complainant.

2. On 17.12.2015, while issuing notice of motion for 14.03.2016, a direction was issued to the parties to appear before the trial Court to get their statements recorded to the satisfaction of the trial Court within a period of 20 days and report was also sought from the trial Court in this regard. On 14.03.2016, following order was passed:-

*“On the previous date, a direction was given to
the parties to appear before the trial Court to get their*

statements recorded to the satisfaction of trial Court within a period of twenty days and report be sent accordingly before the next date of hearing.

However, the learned trial Court has communicated to this Court vide letter No. 16 dated 24.01.2016 that the parties did not appear before it till 12.01.2016, and on 12.01.2016 when the case was fixed for trial, an application was filed by petitioner-Gurmej Singh seeking further time to get their statements recorded with the plea that an application for granting more time to record the statement is being filed before this Court and also that complainant had gone to Canada. However, no such application is on the record.

Learned counsel for the petitioner has sought four weeks' time to seek instructions in this regard.

In view of request made by learned counsel for the petitioner, adjourned to 27.04.2016.”

3. In the meanwhile, the petitioner filed an application bearing CRM-11164-2016, whereupon, he was granted one more, but last opportunity to get record their statements with regard to the alleged compromise in between him and the complainant before the trial Court and the case was adjourned to 27.05.2016, for awaiting report from the trial Court.

4. Thereafter, again on 27.05.2016, the petitioner sought another last opportunity to get the statement of complainant/respondent No. 2-Satya Devi recorded with an undertaking that if the petitioner would fail to get

recorded her statement qua compromise before the trial Court by the next date of hearing, in that eventuality, he would withdraw the instant petition without seeking any further adjournment. Accordingly, the case was adjourned to 15.07.2016. Thereafter, the case was adjourned time and again.

5. In terms of the order dated 27.05.2016, learned counsel for the petitioner withdraws the instant petition.

6. Dismissed as withdrawn.

August 26, 2016
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No