

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Crl. Misc. No.M-38425 of 2015

Date of Decision: 04.05.2016

Harjinder Singh @ Sunny and othersPetitioners

Versus

State of Punjab and othersRespondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Arvind Kashyap, Advocate
for the petitioners.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

Mr. Sudesh Sahi, Advocate
for respondents No.2 and 3.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed for quashing of FIR No.14 dated 08.01.2014 registered under Sections 498-A, 406, 323/34 IPC at Police Station Gobindgarh Mandi, District Fatehgarh Sahib along with subsequent proceedings arising therefrom on the basis of compromise.

Notice of motion in the case was issued on 16.11.2015 and the parties were also directed to appear before the Illaqa Magistrate/trial Court for recording of their statements with regard to compromise.

In spite of giving directions by this Court on 16.11.2015, the parties did not appear before the Illaqa Magistrate/trial Court and hence,

their statements could not be recorded. Thereafter, a request for grant of one more opportunity was made on 04.02.2016 by learned counsel for the petitioners. The request of learned counsel for the petitioners was accepted subject to deposit of costs of ₹ 20,000/- before the Mediation and Conciliation Centre of this Court and the parties were again directed to appear before the Illaqa Magistrate/trial Court on 01.03.2016 for recording of their statements with regard to compromise.

In pursuance to the above said directions, a report has been received from the Sub Divisional Judicial Magistrate, Amloh that the parties did not appear before it and hence, their statements could not be recorded.

In spite of giving opportunities earlier on two occasions, the parties have not appeared before the trial Court for recording of their statements with regard to compromise. This petition has been filed for quashing of FIR on the basis of compromise and in the absence of statements of the parties, the FIR cannot be quashed on the basis of compromise.

The petition is accordingly dismissed.

04.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE