

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

**CRM-M No.23547 of 2016
Date of Decision: 01.03.2017**

Kuldip Singh

.... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab
for respondent No.1-State.

None for respondent No.2.

DEEPAK SIBAL J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.72 dated 31.05.2016, registered under Sections 279, 337, 427 IPC, at Police Station Kharar, District SAS Nagar (Mohali) and all subsequent proceedings arising therefrom, is sought for on the basis of compromise (Annexure P-2).

On July 14, 2016, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 29.08.2016 for recording of their respective statements with regard to the compromise/settlement. The Illaqa Magistrate/trial Court was directed to submit a report with regard to the number of persons arrayed as accused in the FIR; whether any accused was proclaimed offender and whether the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 26.10.2016 from the Sub Divisional Judicial Magistrate, Kharar has been received. A perusal of the report shows that the petitioner despite being given three opportunities, did not appear before the trial Court for recording his statement.

The case has been called twice over with no appearance on behalf of the petitioner.

In view of the above, the present petition is dismissed.

March 01, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No