

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

-.-

Crl. Misc. M 29671 of 2016

Date of decision: 01.03.2017

Rahul Kapoor and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Deepak Sahni, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

None for respondent No. 2

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Rekha Mittal, J. (Oral)

The present petition was filed seeking quashing of FIR No. 12 dated 12.04.2013 registered with Women Police Station, District Amritsar City for offence punishable under Sections 406, 498-A, 354 read with Section 120-B of the Indian Penal Code and proceedings emanating therefrom on the basis of compromise dated 08.07.2016 (Annexure P2).

On August 26, 2016, the parties were directed to appear before the Illaqa Magistrate within 15 days from the order to record their statements and the Magistrate was also directed to send a report. On 12.12.2016, the parties were again directed to appear before the Illaqa Magistrate on 27.01.2017. Concededly, the complainant did not cause appearance before the Court below for recording her statement despite two opportunities granted for the purpose. The fact that the complainant has not come forward to record her statement would indicate that she does not agree with compromise.

In view of the above, the instant petition stands disposed of but without prejudice to rights of the petitioners to file a petition seeking quashing of aforesaid FIR on merits, if need be.

(Rekha Mittal)
Judge

01.03.2017

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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No