

252.

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

CRM-M-12741-2017

Date of decision:13.07.2018.

HARBHAJAN SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.52 dated 17.04.2014 registered under Sections 324, 323, 148, 149 IPC (Section 326 IPC added lateron), registered at Police Station Adampur, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.03.2017 (Annexure P-2).

This Court vide order dated 19.04.2017 had directed the parties to appear before the trial Court on 16.05.2017 to get their statements recorded in support of compromise. However, a communication dated 01.07.2017 was received from the Judicial Magistrate Ist Class, Jalandhar that the case was fixed before the trial Court on 12.06.2017, but the parties did not appear. Again, the matter was fixed for 14.06.2017 and 15.06.2017, but the complainant as well as the accused did not appear before the court

for recording their statements.

Again, vide order dated 03.07.2017, another opportunity was granted to the parties and they were directed to appear before the Illaqa Magistrate/trial Court on 03.10.2017 to get their statements recorded in support of compromise. A communication dated 30.10.2017 was received from the Judicial Magistrate Ist Class, Jalandhar to the effect that the complainant as well as the accused did not appear before the trial Court for recording their statements, so the veracity of the compromise if any arrived between the parties cannot be ascertained.

In view of above, when no one is appearing on behalf of the parties to get their statements recorded in support of compromise, it appears that there is no compromise between the parties.

Accordingly, present petition is dismissed.

However, the petitioners are at liberty to file fresh petition for quashing of FIR in case some compromise is arrived at between the parties in future.

(HARI PAL VERMA)
JUDGE

13.07.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No