

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

115

CRM-M NO.14427 OF 2017

DATE OF DECISION: FEBRUARY 15, 2018

Mohammad Khalil

.....Petitioner

VERSUS

State of Punjab and another

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: None for the petitioner.

Mr. Dhruv Dayal, Sr.DAG, Punjab,
for the State.

None for respondent No.2.

AUGUSTINE GEORGE MASI, J. (ORAL)

On 09.10.2017, while issuing notice of motion in the petition for quashing of FIR No.123, dated 14.07.2016 (Annexure P-1) registered under Sections 420, 120-B, 34 IPC at Police Station Moga City, District Moga, on the basis of compromise dated 02.03.2017 (Annexure P-2), the Court had directed the parties to appear before the trial Court/Illaq Magistrate for recording their statements and further direction was given to the Court to submit a report with regard to its satisfaction that the parties have compromised the matter amicably with their free will and without any pressure from any corner. The case thereafter came up for hearing on 23.01.2018, when the following order was passed:-

“Request for adjournment has been made on behalf of counsel

for the petitioner, who is stated to be busy in some other Court.

As per the report of Additional Chief Judicial Magistrate, Moga, none of the parties appeared before the Court for getting recording their statements with regard to any compromise effected between them.

Mohammad Khalil son of Firoz Khan, petitioner herein, has already been declared a proclaimed offender vide order dated 10.08.2017 passed by the Chief Judicial Magistrate, Moga. Adjourned to 15.02.2018.

To be shown in the urgent list.”

Case has been called twice today but none has put in appearance either on behalf of the petitioner or respondent No.2.

Keeping in view the fact that the petitioner is a proclaimed offender as per the order dated 10.08.2017 passed by the Chief Judicial Magistrate, Moga, as is apparent from the report, which has been submitted by the said Court, the absence of counsel for the petitioner as well as respondent No.2 is understandable.

Dismissed for non-prosecution.

February 15, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No