

257.

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

CRM-M-24338-2016

Date of decision:06.12.2018

KEEMTI LAL ALIAS KEEMO AND ORS

... Petitioners

versus

STATE OF PUNJAB AND ORS.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vaibhav Narang, Advocate,
for the petitioners.

Mr.Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr.Mukesh Bhambu, Advocate, for
Mr. Subhash Chand, Advocate,
for respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.271 dated 11.11.2013 registered under Sections 324/323/34 of IPC at Police Station Jandiala Guru, District Amritsar Rural (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise dated 08.07.2016 (Annexure P-1).

This Court vide order dated 21.07.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties appeared before learned

the basis of the statements so recorded, learned Magistrate submitted a report dated 08.09.2016 to the effect that the parties i.e. petitioners and respondent No.2 have made an amicable settlement and recorded their statements without any fear or pressure.

However, when the case was listed on 09.11.2016, learned State counsel had taken an objection that the injured Ravinder Singh and Buta Singh have not been impleaded as necessary parties. Accordingly, vide order dated 10.01.2017, they were also impleaded as respondents No.3 and 4 and vide order dated 10.09.2018, they were directed to appear before the trial Court to get their statements recorded in support of the compromise.

However, a communication dated 12.10.2018 has been received from learned Judicial Magistrate Ist Class, Amritsar, to the effect that respondents No.3 and 4 have not appeared before the court for recording their statement.

At this stage, learned counsel for the petitioners states that since the compromise has not materialized, he may be permitted to withdraw the present petition, however, with liberty to file a fresh one, if the compromise so materializes.

Withdrawal of present petition is permitted with the aforesaid liberty, however, subject to payment of costs of Rs.5,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh.

(HARI PAL VERMA)
JUDGE

06.12.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.