

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

CRM-M-5211 of 2019.

Decided on:- December 05, 2019.

Harjinder Kaur and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- None for the petitioners.

Mr. Saurav Khurana, D.A.G., Punjab.

None for respondent No.2-complainant.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.223 dated 04.10.2018 under Section 498-A IPC registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise by way of affidavit dated 17.12.2018 (Annexure P-2).

Vide order dated 04.02.2019, this Court, while issuing notice of motion, had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement on 28.02.2019. The Illaqa Magistrate/trial Court was directed to

submit a report with copies of statements of the parties on or before 13.05.2019.

Though no one was present on behalf of the petitioners on 16.08.2019, but considering the communication dated 30.03.2019 received from the Judicial Magistrate 1st Class, Batala, one more opportunity was granted to the parties to get their statements recorded before learned Magistrate on 25.09.2019, however, subject to payment of costs of Rs.5,000/- to be deposited with the Legal Services Authority, Punjab.

The communication dated 27.09.2019 received from learned Judicial Magistrate 1st Class, Batala shows that even on 25.09.2019, neither the parties appeared there for recording their statements in support of compromise nor requested for any date on any bonafide ground.

In view of the aforesaid communication, it appears that either the matter has not been compromised between the parties or the petitioners are not interested to pursue the present petition.

Accordingly, the present petition is dismissed for non-prosecution at this stage.

However, in case the parties enter into compromise, the petitioners shall be at liberty to file a fresh petition seeking quashing of the aforementioned FIR on the basis of compromise.

December 05, 2019

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned:

Yes

Whether Reportable:

No