

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13386-2019
DECIDED ON: 25.03.2019

RACHHPAL SINGH

...PETITIONER..

VERSUS

STATE OF PUNJAB

...RESPONDENT..

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing FIR No.21 dated 26.01.2018, under Section 174 IPC, Police Station City Gurdaspur, District Gurdaspur, Punjab (P-1) along with all consequential proceedings arising therefrom.

Heard.

Since, the parties have compromised the matter as is clear from order dated 09.07.2018 passed in civil suit, in which, the petitioner, in utter disobedience of trial court's order, did not appear as witness, therefore, this Court without going into the merit of the case, is of the considered view that instead of directing the petitioner to face trial under Section 174 IPC in FIR No.21 dated 26.01.2018, be burdened with exemplary costs, so as to send a message in the

babudom not to ever disobey any court's order.

The petitioner is a Clerk in Govt. Office at District Gurdaspur. Therefore, he instead of disobeying the court's order, ought to have appeared on the first date itself and got his statement recorded.

Considering overall facts and circumstances, the petitioner is burdened with fine of ₹20,000/- to be deposited with the trial court under the relevant head, within 15 days from today for quashing of aforesaid FIR No.21 dated 26.01.2018 and subsequent proceedings arising therefrom.

List on 22.04.2019 for production of receipt.

25.03.2019

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**(RAMENDRA JAIN)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**