

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9692 of 2015

DATE OF DECISION: JULY 19, 2019

BUBBLES CHABBA AND ANOTHER ...PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHER ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. V.K.SACHDEVA, ADVOCATE
FOR THE PETITIONERS.

MR. HITTAN NEHRA, ADDL.A.G., PUNJAB.

MR. PIYUSH AGGARWAL, ADVOCATE
FOR RESPONDENT NO.2.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed under Section 482 Cr.P.C. for quashing the FIR No.336 dated 11.10.2003 under Section 452/419/341/506/120-B IPC registered at Police Station Civil Lines, Amritsar and subsequent proceedings thereon.

Petitioners had set up a compromise as a ground and this Court issued notice of motion on 26.3.2015. On 1.5.2019, one last opportunity was granted to the parties for recording the statement of complainant/respondent No.2 pursuant to the compromise. It is pointed out that the complainant has not appeared for recording his statement. Learned counsel for the petitioners contends that memorandum of understanding between the parties was clear and the complainant/respondent No.2 has availed the benefit under it, but has retracted from performing his part as far

as the quashing of FIR is concerned.

Since the complainant has failed to give statement, therefore, the petition for quashing on the basis of compromise is dismissed. However, it shall be open for the petitioners to file a fresh petition for quashing of FIR on merits including retraction by respondent No.2 from the memorandum of understanding.

Disposed off.

July 19, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No