

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25738-2019

Date of Decision: 07.11.2019

Jatinder Kumar

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Hitesh Vema, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

On 31.05.2019, the following order had been passed:-

“Notice of motion.

On the asking of the Court, Mr. A.A. Pathak, Addl. AG, Punjab, who is present in Court, accepts notice on behalf of respondent State.

Mr. Ranjit Singh Sidhu, Advocate, who is present in Court, has put in an appearance on behalf of respondent No.2.

Requisite copies of the complete paper book be furnished to the learned State counsel as well as learned counsel for respondent No.2 during the course of the day.

Learned counsel for the parties submit that the matter has been amicably settled between the parties and compromise deed dated 17.05.2019 (Annexure P-2) executed between them.

Adjourned to 19.07.2019.

Meanwhile, parties are directed to present themselves before the Illaqa Magistrate/trial Court, Barnala on 13.06.2019 for getting their statements recorded with regard to the factum of compromise so effected between them. The Illaqa Magistrate/trial Court, Barnala is directed to record the statements of both the parties specifying the following:

i) The number of accused arrayed in the FIR, how many have appeared before it, have made statements and whether any accused is absconding/P.O. in the case;

ii) The name of the complainant and aggrieved and whether all of them have appeared and made their respective statements in support of the compromise so effected between them;

iii) The stage of trial/proceedings; iv) If the compromise is genuine, voluntarily and out of free will of the parties.

The Illaqa Magistrate/trial Court, Barnala is further directed to send a report along with statements of the parties with regard to the validity or otherwise of the compromise so effected between the parties.”

Today, learned counsel for the petitioner submits that the terms of the compromise have not been complied with, with even a report being on record from the learned Chief Judicial Magistrate, Barnala, dated 15.06.2019, that neither the petitioner nor respondent no. 2 appeared before that Court, in terms of the aforesaid order.

Learned counsel for the petitioner submits that he may be permitted to withdraw the present petition.

Dismissed as withdrawn, with the interim order, naturally, standing vacated.

November 07, 2019
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.