

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-M-64382-2018

Date of Decision:06.02.2020

Sewak Singh @ Gursewak Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: None for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.49 dated 11.05.2017 under Sections 376, 506 IPC, registered at Police Station Hathur, District Ludhiana(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise(Annexure P-2).

This Court vide order dated 16.09.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

A communication dated 05.11.2019 sent by learned Judicial Magistrate 1st Class, Jagraon has been received. As per report, parties did not appear before learned Magistrate to get their statements recorded, in

support of the compromise.

At this stage, learned State Counsel submits that in the aforesaid FIR, investigation is already complete and cancellation report has been submitted to the court, which is pending consideration and notice has been issued to the complainant.

In view of the aforesaid development, when the police has already prepared the cancellation report, the present petition is dismissed as having been rendered infructuous.

However, in case, cancellation report submitted by the police is not accepted by the court, petitioner would be at liberty to file a fresh petition for quashing of FIR on the basis of compromise.

February 06, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No